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NIAGARA ESCARPMENT PROPOSED PLAN HEARING

Report of the Hearing Officers

A.L. McCrae, Chief Hearing Officer

W.T. Shrives, Hearing Officer

M.D. Henderson, Hearing Officer

Volume Four

January 1983

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REPORT

OF THE HEARING OFFICERS



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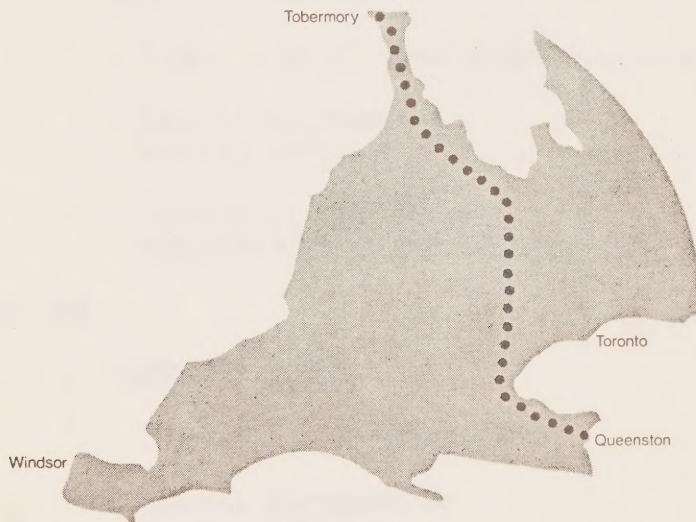
REPORT

OF THE HEARING OFFICERS

A. L. McCRAE, Chief Hearing Officer

W. T. SHRIVES, Hearing Officer

M. D. HENDERSON, Hearing Officer



WALTER W. GOWING, Chief Administrator
CAROL A. BEVERIDGE, Hearing Secretary

VOLUME FOUR
JANUARY 1983



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*This is Volume Four of a four volume report
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COUNTY OF DUFFERIN

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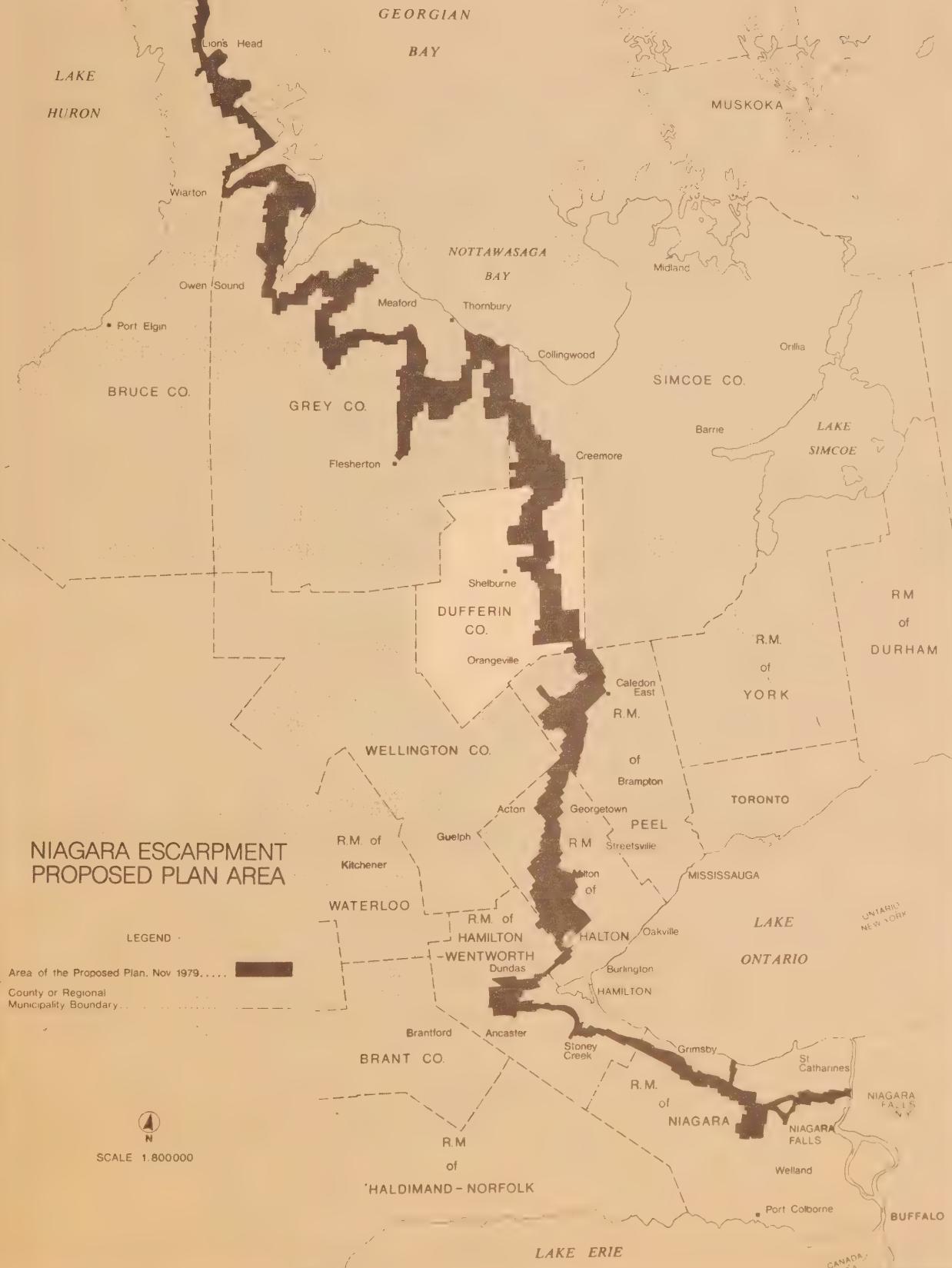
LEGEND

Area of the Proposed Plan Nov 1979

County or Regional
Municipality Boundary



SCALE 1:800000



PHASE II HEARING

THE
COUNTY OF DUFFERIN





Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

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PHASE II

GENERAL STATEMENT

COUNTY OF DUFFERIN

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Dufferin for which a hearing was held at Orangeville together with a portion of the supplementary hearing held in Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 250 to 325 inclusive and 698 to 712 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 250, 252, 258, 263, 264, 266, 267, 268, 270, 273,

309, 316, 318, 320, 324, 325, 699 and 704.

In the County of Dufferin we have recommended in Submissions 250, 267 and 316 that large areas be removed from the Plan and that the designations for larger areas be changed from those proposed .

Several submissions in this sector (Dufferin) are dependent on these recommendations being accepted otherwise our recommendation might have been to remove certain properties or to change the designations.

Submissions in this category include the following: 253, 254, 260, 262, 264, 265, 269, 270, 271, 272, 274, 275, 276, 277, 279, 280, 281, 283, 284, 286, 288, 290, 293, 294, 296, 298, 299, 304, 305, 306, 307, 308, 310, 312, 313, 314, 317, 319, 320, 321, 322, 325, 698, 699, 700, 701, 702, 703, 704 and 711.

PHASE II

COUNTY OF DUFFERIN

SUMMARY

OF

SUBMISSIONS, RECOMMENDATIONS AND REASONS

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mulmur

SUMMARY OF SUBMISSION:

Ross Raymond, a qualified planner, appeared and gave evidence on behalf of the Township. The Township of Mulmur is one of those municipalities where very little of the actual Escarpment is exposed and the largest percentage lies buried. Mr. Raymond, like many other people who appeared at these hearings, feels that the visable Escarpment should be preserved and that in certain cases there is a need for a buffer around the Escarpment. A strong plea was made to remove farms from the Proposed Plan because of the impact which these controls would have on the farming community. A case in point was using farmland to provide open space for other more sensitive areas. Exhibit 161 was filed during the course of this submission which showed specific lands that this Township requested be removed from the Proposed Plan. Mr. Raymond also took issue with the fact that the Commission did not carry out a thorough investigation of the socio-economic conditions prevailing in Mulmur, otherwise it would have become apparent that the predominant land use within the area is agriculture. Mr. Raymond pointed out that the area of control suggested by the Gertler Report was significantly smaller in both the Townships of Mono and Mulmur than is now proposed in the Plan. It was also Mr. Raymond's opinion that existing agencies and controls would go a long way to protecting the Escarpment. Mr. Mullin appeared again on behalf of the Township to support the deletion of the lands of Dr. and Mrs. Victor R. Perry (Submission 310).

Summary of recommendations from this submission are as follows:

1. The placing of agriculture as a land use of the third order of importance in the Proposed Plan is

not acceptable to the Council or the ratepayers of the Township of Mulmur. The Proposed Plan should be altered to release the lands which are being actively farmed to the local jurisdiction represented by the official plan and zoning by-laws of the Township of Mulmur. The important features of the Niagara Escarpment where they occur in the Township of Mulmur should be provided with protection by the use of policies which are in fact "overlays" to the existing official plan policies and these protective policies should be administered through the use of development control procedures.

2. The Council submits that in the Township of Mulmur, agriculture should be recognized as the predominate use of land. Recreation, rural residential, and conservation uses should be established as being clearly secondary to the primary use of the land for farming purposes in this area.
3. The Proposed Plan should be altered to provide protection to the farmers since their livelihood depends on their ability to use their land in accordance with established practices. The emphasis on the maintenance of farming as an existing use should be deleted from the Plan. The viability of a particular farming operation should be something determined by the farmer himself and not by a Government Ministry..
4. The policies of the Proposed Plan should be re-written to encompass all of the Food Land Guidelines and not just the lot creation policies from that document.
5. The development control criteria listed in Section 2.9 should be completely revised to make them as

much like a zoning by-law as possible in order that an individual citizen can judge the degree to which his proposals conform with the policies of the Proposed Plan. The vague and subjective criteria should be removed completely from this Section.

6. While interim development control has been effective in reducing the amount of development which has taken place which might have affected the Proposed Plan and its policies, it is now apparent that the development control area should be reduced as much as possible and this procedure should only be used to regulate matters of real Escarpment concern.
7. Certain areas which have a high potential for mineral aggregate and bedrock resources within the Township as shown in the Government report submitted as evidence should be designated in the Proposed Plan for such use without the necessity of an amendment to the Plan. The existing controls over pits and quarries which are presently in use are sufficiently detailed to provide all of the protection required for the Niagara Escarpment. The Niagara Escarpment Commission can, if it wishes, work through the Ministry of Natural Resources prior to the issuance of a licence under the *Pits and Quarries Control Act*. The use of development control and a further amendment to the Niagara Escarpment Plan are measures which are unnecessary.
8. While the principle of the establishment of the Bruce Trail through the Township is acceptable, it is clearly necessary for the route of the trail to be located on road allowances or on land which has been acquired from landowners willing to accept the presence of the Trail. Expropriation

procedures to establish the trail are clearly unwarranted in view of lack of compatibility between livestock operations and recreational hiking.

9. The position of the Niagara Escarpment Commission with respect to the acquisition of lands for park purposes (including the Bruce Trail) should be clarified and the reference to the use of the Land Compensation Board should be corrected.
10. The policy of the Provincial Government to pay grants in lieu of taxes for land acquired for park purposes should be reviewed and where land is being used other than for local recreation purposes, the revenue provided to the local municipality should be increased until it is approximately equal to the sum which would be paid by private owners in taxes for the same land.

The chief recommendation of the Township is that all lands proposed to be designated Escarpment Rural in the Township of Mulmur together with land "hatched" on Exhibit 161 be deleted.

EXHIBITS:

161. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe and County of Dufferin. Marked by Mulmur Township to indicate lands the Township recommends to be removed from the Proposed Plan.
162. Overlay prepared by the Niagara Escarpment Commission, to be applied to part of Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe and County of Dufferin. Overlay showing lands recommended by Mulmur for deletion from the Proposed Plan.
163. Four Maps:
 - (a) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin.

Submission No. 250 continued

Additional markings on map within Dufferin County indicating Criterion 1: Groundwater Infiltration Areas; Criterion 2: Headwater and Surface Streams.

- (b) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 3: Geological Areas; Criterion 4: Natural Areas.
- (c) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 5: Cultural Areas; Criterion 6: Forested Areas.
- (d) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 7: (Open Landscape and Buffer) Landscape Evaluation Study; Criterion 8: Access.

RECOMMENDATION:

That the Proposed Plan in the Township of Mulmur be modified by the deletion of the Escarpment Rural designated lands, and that it be further modified by changing the Escarpment Protection designated lands to Escarpment Rural. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)

REASONS:

The Municipality of the Township of Mulmur requested deletion from the Proposed Plan of all the Escarpment Rural lands and certain areas of Escarpment Protection lands shown cross-hatched on Exhibit 161. A careful scrutiny of the evidence adduced in this regard would indicate that the principal reason for such exclusion is that these are in the main, lands being actively farmed. That is not really a reason in the planning sense for the hearing officers taking the course suggested. All over the Province vast acreages of operating farms are designated as rural. The difference here is that another layer of control is imposed on these lands by virtue of the requirements of the Proposed Plan and it is contended that they are and will be detrimental to the farming operation. Recommendations found elsewhere in this report seek to ameliorate this problem in various ways including the administration and implementation of the Proposed Plan.

Underlying the municipal opposition however, is the fact that in this Township where the Escarpment is largely buried as opposed to other areas in the Plan there is not and should not be the same urgency for restrictive measures to ensure its protection, nor the necessity of the huge acreage deemed necessary by the Commission to do so. The panel of hearing officers heard this proposition put forward on numerous occasions during the lengthy course of the hearings, and it is from this input that we have concluded that the treatment planning wise of the "buried" scarp must be varied from that adopted by the Niagara Escarpment Commission throughout the entire planning area. This is accomplished in part, we believe, by recognizing the "overkill" in the amount of land included in the Proposed Plan to "protect" the buried scarp and by reducing its mass. At the same time such protection as is necessary for certain scarp features can be provided by a land use designation of Escarpment Rural with its far less restrictive policies rather than the Escarpment Protection designation applied by the Commission.

Submission No. 250 continued

For the panels disposition of other matters raised in the submission of the municipality reference should be had to the recommendations, comments and reasons in the general section of this report.

OWNER: Dr. Walter M. Tovell

LAND: Part Lot 27, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Dr. Tovell is a geologist, an educator and a landowner in Mono Township. He purchased and renovated the Granger School. For the most part Dr. Tovell's evidence dealt with the geological aspects of the Niagara Escarpment and more particularly with the "Hewitt" definition. He also feels that there is a lack of information with respect to groundwater. It is his opinion that the biggest problem will be the administration of the Plan and he feels it should be under a Provincial Minister. Dr. Tovell supports the Proposed Plan in general but feels that some changes in the Plan may be necessary. In answer to a question by Geoffrey Mullin, Counsel for the Township of Mulmur and Mono, Dr. Tovell didn't know if his property was within the Proposed Plan or not.

EXHIBIT:

164. Curriculum Vitae - Dr. Walter M. Tovell

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

See also Recommendations on Submission 263 (Ralph S. McCreath) regarding possible deletion of property.

OWNER: J.A. Pearce

LAND: Part West 1/2 Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Pearce owns approximately 52 acres and bought the property to try his hand at farming. He has 32 acres planted in trees and another 10 acres in hay. He requested that his property be removed from the Proposed Plan and that controls be returned to the local municipality. He feels that too many words in the Plan require qualification and that the Niagara Escarpment Commission is just another layer of controls. The evidence indicates that this is not an area which the Township suggested for deletion.

RECOMMENDATION:

That the Niagara Escarpment Commission give consideration to deleting all lands in Lots 22, 23, 24 and 25, Concessions 2, 3, and 4 E.H.S., Township of Mulmur from the Proposed Plan.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

We would have recommended the deletion of the subject lands but recognize that to do so would create an island inside the Plan. Our inclination would be to remove the lands as recommended above but in the absence of a request by the municipality or owners for much of the balance of the lands in this area we have only recommended that the Niagara Escarpment Commission give serious consideration to excluding all the lands in Lots 22, 23, 24 and 25, Concessions 2, 3 and 4 E.H.S., from the Plan.

FILE NO. 500-34

SUBMISSION NO. 253
(Written Only)

OWNER: Mrs. Muriel Lowcock

LAND: Part Lot 25, Concession 2
Township of Mulmur

SUMMARY OF SUBMISSION:

Mrs. Lowcock indicated that she and her husband do not object to the proposed designation of their eight acres of land in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See Recommendations in Submission 250 (Township of Mulmur), which if accepted will change the designation on this land to Escarpment Rural. In addition reference to Submission 266 (Harrison and Fiddlelement) should be had concerning possible deletion of these lands. If these lands are deleted then any change in designation would not be required.

OWNER: Donald Moffatt

LAND: Lot 12, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Moffatt has a 93 acre operating farm and objects to the Proposed Plan including his land. He points out that there is no visable scarp near him nor any wetlands. It is his opinion generally that additional controls are not necessary on his property and that there are sufficient existing controls.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the bulk of this property will be designated as Escarpment Rural.

AGENT: G.M. Sernas of G.M. Sernas & Associates Ltd.

OWNER: Aspen Resorts Inc.

LAND: Lot 10, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Sernas indicated that his clients have purchased Twin Hearths Ski Area which is located near the southwest corner of Airport Road and Hockley Valley Road. It is apparent that they propose to develop this property as a recreational area. It is their hope that both the Commission and the public in the area will permit such a development to proceed. No evidence was called on behalf of the Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

AGENTS: Ms. Carolyn Pennie and Mrs. Mavis L. McCullum

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

Ms. Carolyn Pennie and Mrs. Mavis L. McCullum appeared on behalf of the association and read a prepared brief. This group did not take a position either for or against the Proposed Plan but did support the rights of local municipalities to continue to act in the best interest of local landowners. It was pointed out that it is the objective of these riders that scenic road allowances, unimproved road rights-of-way and suitable public lands be available for their activities.

RECOMMENDATION:

None.

REASONS:

The hearing officers lack the jurisdiction to recommend or designate the trails sought.

OWNER: Mrs. Joyce Jones

LAND: North 1/2 of West 1/2 and North 1/2 of East 1/2 of
Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mrs. Jones appeared and requested that the adjacent property known as the Monteclair Ski Resort be changed from the proposed Escarpment Recreation designation to Escarpment Protection.

In this case the Niagara Escarpment Commission called no evidence.

RECOMMENDATION:

None.

REASONS:

After hearing all the evidence in connection with the property known as "Monteclair" the panel came to the conclusion from this submission and others that there was indeed certain problems that could arise from the designation proposed for these lands by the Niagara Escarpment Commission. This had regard mainly to the question as to whether or not a 'legal non-conforming use exists.

The question of our jurisdiction to make a recommendation for a change in designation becomes academic as long as the non-conforming use question is not resolved.

In addition we are of the opinion that we could not make a recommendation on property where the request for a change had been made by other individuals without proper notice to the owner.

OWNER: Reinhold and Brunhilde Wechsel

LAND: Part Lot 26, Concession 3 E.
Part Lot 28, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mrs. Wechsel indicated that the two properties have no identifiable connection with the Escarpment and that the lands in question are flat and there is no bedrock exposure. A drilled well on Lot 26 goes to a depth of 134 feet and no rock was encountered. There is a stream which crosses the property. In the opinion of Mrs. Wechsel farmland such as these subject lots should not be in the Proposed Plan.

EXHIBIT:

165. Air photo showing properties of Brunhilde Wechsel,
Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no request for deletion was made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

OWNER: Douglas J. Bibby

LAND: East 1/2 Lots 9 and 10, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Bibby purchased a property in September 1980 which is known as the Valley Schuss Ski Club. He stated that he is pleased with the Proposed Plan and since the chalet on the property was destroyed by fire he would like the uses expanded to include such things as tennis, squash, camping and a fitness club. In this way he would not be limited to an activity such as skiing which covers a short season.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan. As far as the request to expand these uses is concerned we do not believe such concession should be granted in a specific instance.

OWNER: Mrs. Charlene Butler

LAND: Lots 24, 25 and 26, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Although this submission was made by Mrs. Charlene Butler whose property is not in the Plan, it also concerned the following owners:

Mrs. Donna Lehman
Joseph and Joyce Matthews
Gary and Nan DeMan
Richard Frank and Gail Love
Redford O'Dell
Gladys Fowler
Mr. and Mrs. Nolty

All these owners requested that their properties be removed from the area covered by the Proposed Plan since it was their contention that none of their lands are really connected with the Escarpment.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 316 (Township of Mono) are accepted some of the subject lands will be removed from the Proposed Plan and others will be changed from Escarpment Protection to Escarpment Rural. Any Escarpment Natural Area will remain as is. It was noted that the Niagara Escarpment Commission led no evidence regarding these properties.

AGENT: Donald Cullen

OWNER: Lloyd Thomson

LAND: Part East 1/2 Lot 7, Concession 1 E.H.S.

Part West 1/2 Lot 7, Concession 2 E.H.S.

Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately 35 acres is designated Escarpment Natural in the Proposed Plan and the owner wishes to develop it for estate residential purposes. It is the owner's contention that this property is two concessions removed from the scarp and its inclusion is part of an attempt to widen the scarp (in the Proposed Plan) to take in the whole of the Hockley Valley.

This submission requests the following:

1. Remove subject property from the area covered by the Proposed Plan.
2. Or at least allow three dwellings to be erected on the property.
3. Or failing No. 1 or No. 2, that the Government enter into negotiations to purchase the subject property.

EXHIBIT:

166. Air photo showing property of Lloyd Thomson,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

This property has in the opinion of the hearing officers

Submission No. 261 continued

been properly designated and included in the Proposed Plan.

OWNER: Donald Cullen

LAND: Part West 1/2 Lot 14, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately five acres is designated Escarpment Rural in the Proposed Plan.

It is the owner's contention that the subject property should not be included in the Proposed Plan since it is some 2,000 feet from the closest Escarpment Protection Area in the Proposed Plan.

EXHIBIT:

167. Air photo showing property of Donald Cullen,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted this property will be deleted from the Proposed Plan.

OWNER: Ralph S. McCreath

LAND: East 1/2 Lot 31, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately 100 acres is designated Escarpment Protection in the Proposed Plan and has been farmed for most of the past 100 years and now supports a small cattle operation and contains a renovated barn that is used for living accommodation.

This submission along with many others particularly in the Dufferin County area, expresses concern that the lands contained in the Proposed Plan are not really part of the scarp since there is no visable scarp in the immediate area.

This submission recommends that the three areas of Provincial significance in the Township of Mono:

Mono Centre, North Escarpment

Violet Hill, South Escarpment

Cannings Falls, Valley Forests

be set aside for public use perhaps joined by the Bruce Trail and that the balance of the lands in the Township of Mono proposed to be included in the Proposed Plan be removed from the Plan.

EXHIBIT:

168. Air photo showing property of Ralph S. McCreath,
Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all other lands in Lots 26 to 32,

Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

OWNER: J.V. McKee

LAND: Part East 1/2 Lots 12 and 13, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consisting of some 110 acres is designated Escarpment Protection and Escarpment Rural in the Proposed Plan.

The subject property has been in the McKee family since 1871 and is still being actively farmed and produces a good living for the McKees.

Mr. McKee has a fear of the unknown and requests that his property be removed from the area covered by the Proposed Plan.

EXHIBIT:

169. Air photo showing property of J.V. McKee,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That this property be removed from the Proposed Plan.

REASONS:

Our recommendations in Submission 250 (Township of Mulmur) if accepted would remove the Escarpment Rural portion from the Proposed Plan and we are of the opinion on the basis of the evidence that the portion proposed to be designated Escarpment Protection be also removed.

OWNER: Ms. Mary Jane T. Weir

LAND: Part Lot 17, Concession 3 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission was concerned with being able to expand an existing kennel operation. The subject property is designated Escarpment Rural under the Proposed Plan.

This submission is in support of the Township of Mulmur's request to remove Escarpment Rural designations from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation under Submission 250 (Township of Mulmur) is accepted this property will be deleted from the Proposed Plan.

OWNERS: Ken and Sharon Harrison,
William Keywan and Len Fiddlement

LAND: Part Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property is designated Escarpment Protection under the Proposed Plan and is immediately east of Jade Mountain Estates, a subdivision of some ten recreational and permanent homes.

This submission requests that the Proposed Plan not be implemented and that zoning by-laws and official plans administered by elected municipal councils be put in place instead.

In any event this submission suggests that the proposed designation of Escarpment Protection is improper since the subject property is in an area of substantial development.

RECOMMENDATION:

That the Niagara Escarpment Commission give consideration to deleting all the lands in Lots 22, 23, 24 and 25, Concession 2, 3 and 4 E.H.S., Township of Mulmur, from the Proposed Plan.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

We would have recommended the deletion of the subject lands but recognize that to do so would create an island inside the Plan. Our inclination would be to remove the lands as recommended above but in the absence of a request by the municipality or owners for much of the balance of the lands in this area, we have only recommended that the Niagara Escarpment Commission give serious

Submission No. 266 continued

consideration to excluding all the lands in Lots 22, 23, 24 and 25, Concessions 2, 3 and 4 E.H.S., from the Plan.

COUNSEL: George Shepherd

GROUP: Township of Melancthon

SUMMARY OF SUBMISSION:

The first concern of the Township of Melancthon is with reference to lands included in the planning area but not now included in the Proposed Plan. The Township requests that lands in the Proposed Plan be returned to the sole jurisdiction of the Township and the second concern is that in the opinion of the Township the administration of land use controls should be at the local municipal level.

RECOMMENDATION:

That all the lands in the Township of Melancthon contained in the Proposed Plan be removed from the Plan.

REASONS:

The evidence given for inclusion of these lands in the Proposed Plan is not sufficient to justify their retention therein.

COUNSEL: George Shepherd

OWNER: Bert Horner

LAND: Part West 1/2 Lot 32, Concession 1 E.H.S.

West 1/2 Lot 31, Concession 1 E.H.S.

Township of Mono

SUMMARY OF SUBMISSION:

The subject property in Lot 32 consists of approximately 25 acres fronting on Highway 89 and contains the Horner residence and the property in Lot 31 is a 100 acre mixed farming operation and both are designated Escarpment Protection under the Proposed Plan. This submission contends that "Escarpmment Protection" is an improper designation.

Mr. Horner requests that development control remain in the hands of the local elected officials and that his lands be removed from the Escarpment Protection Area.

EXHIBIT:

170. Air photo showing property of Bert Horner,
Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of

Submission No. 268 continued

the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

COUNSEL: George Shepherd

OWNER: Borden Brown

LAND: Lot 5, Concession 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consists of 200 acres being actively farmed with a mixed farming operation and is designated Escarpment Rural in the Proposed Plan.

Mr. Brown requests that his lands be removed from the Proposed Plan since the subject lands contain no Escarpment features and are not in close proximity to any Escarpment landforms.

EXHIBITS:

171. Soil map of Dufferin County. Soil Survey Report No. 38. Scale: 1 inch = 1 mile or 1:63360. Soil survey by the Department of Soil Science, Ontario Agricultural College, Guelph and the Research Branch, Canada Department of Agriculture, Ottawa. Published by the Soil Research Institute, Research Branch, Canada Department of Agriculture, Ottawa, 1963.
172. Air photo showing property of Borden Brown, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion from the

Submission No. 269 continued

Proposed Plan in Submission 250 (Township of Mulmur).

COUNSEL: George Shepherd

OWNER: Howard Gallaugher

LAND: Part Lot 17, Concession 1 E.H.S.

Part Lot 17, Concession 1 W.H.S.

Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property consists of some 158 acres on which a mixed farming operation is carried on and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan.

Mr. Gallaugher requests that the Escarpment Natural and Escarpment Protection designations be removed and that the whole of his land be designated Escarpment Rural and although this is his request he would prefer to have his lands removed from the Proposed Plan.

EXHIBIT:

173. Air photo showing property of Howard Gallaugher,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the portion of these lands proposed for Escarpment Rural designation in the Proposed Plan be left as is and retained in the Plan together with all the neighbouring lands proposed to be designated Escarpment Rural in Lots 16, 17, 18, 19 and 20, Concessions 1 W and 1 E, Township of Mulmur. There is no recommendation regarding the Escarpment Protection lands of this submission.

REASONS:

In our opinion the retention of the Escarpment Rural designated lands is required to provide an adequate buffer in the immediate area. There was no recommendation made on the Escarpment Protection designated lands in this submission because if our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated as Escarpment Rural.

COUNSEL: George Shepherd

OWNER: Hubert Kaiser

LAND: Lots 30 and 31, Concession 1 E.H.S.
Lots 29, 30 and 31, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This is a 700 acre farm and the owner actively farms 100 acres, rents out 500 acres, and operates a wholesale porcelain business on part of the balance. There is a small creek running from north to south through the middle of the farm. The creek bed is swampy and is the only area of the farm with steep slopes. This part consisting of some 50-55 acres is not farmed, but the balance of the farm produces corn, mixed grain and hay. The topography except for the stream valley is smooth with gentle slopes and in part is slightly rolling. There are no rock Escarpment or landforms on the farm.

The lands have three designations under the Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural. It is contended that in the absence of Escarpment landforms, the only reason the farm is in the Proposed Plan is because of the creek and in the opinion of the owner there is no justification in the *Niagara Escarpment Planning and Development Act* for inclusion based on that reasoning. He is opposed to development control based on his own experience with it and believes zoning to be a more preferable method of controlling land use. If the Plan were to be approved he wants the Township to be included as the administrating authority.

The owner's first request is to remove his whole 700 acres from the Proposed Plan. Failing this he wants the Escarpment Rural designated lands removed and the Escarpment Protection lands re-classified to Escarpment Rural. He is also opposed to the provision in the Proposed Plan for an increased area of notice regarding

Submission No. 271 continued
decisions on development control applications.

EXHIBIT:

174. Air photo showing property of Hubert Kaiser,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

The bulk of this request will be met if our recommendations in Submission 250 (Township of Mulmur) are concurred with.

COUNSEL: George Shepherd

OWNER: Jade Mountain Estates Ltd.

LAND: Part East 1/2 Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission is by way of a request to be removed from the Proposed Plan so that the lands can be developed residentially. The whole of the 70 acres is designated as Escarpment Protection although the north part of the lands constitute a registered plan of subdivision. There is a draft plan for the development of the balance. Development started in 1962 and of the first phase of some 20 registered lots 16 are sold and 10 homes erected. To date the second phase of the subdivision has not as yet got off the ground and both the Niagara Escarpment Commission and the Ministry of Housing have rejected the proposal. The Township of Mulmur Official Plan shows all of the holdings as estate residential.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the subject land will be designated Escarpment Rural.

In addition, reference to Submission 266 (Harrison, Keywan and Fiddlelement) should be had concerning possible deletion of these lands. If these lands are deleted then any change in designation would not be required.

COUNSEL: George Shepherd

OWNER: George Hodgson

LAND: East 1/2 Lot 30, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission concerns the above lands but it was explained that there are 47 additional acres not in the Proposed Plan, so these do not concern us. The 100 acres designated Escarpment Protection are located south of the McCreath lands (Submission 263) and is said to be almost identical in character. There is no visable rock on the farm and the nearest view of the Escarpment is about three miles away. The lands are not under development control. It is requested that these lands be removed from the Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject lands. It is suggested that the Niagara Escarpment Commission give consideration to deleting all other lands in Lots 26 to 32, Concession 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

AGENT: Ronald C. Richards

OWNER: Murray Goldman

LAND: Lot 11, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property in its entirety consists of 100 acres but is divided into two parcels by the Nottawasaga River. The part we are concerned with is north of the Hockley Valley Road immediately south of the river. It has a frontage of 1,200 feet on Hockley Valley Road with a depth of approximately 700 feet to or slightly beyond the river. The subject is designated Escarpment Natural and Escarpment Protection. It is intended if this submission is accepted to develop the land into three prestige estate residential lots of between 3.9 and 5.3 acres. Water supply and sewage disposal are all possible of attainment based on engineering and planning evidence adduced in support. Environmentally it was submitted that the proposal would not affect the goals of the Niagara Escarpment Commission, and only two trees would be removed from this heavily treed area. Exhibit 176 (b) shows the extent of residential development that has occurred in the area. It is requested that the blue mapping of Escarpment Recreation Area land use be extended to these Commission designated Escarpment Natural lands to permit the development. In the applicant's view, the proposal would be permitted in the Mono Official Plan which designates the property as Rural with lands around the river being Environmental Protection.

EXHIBITS:

175. Curriculum Vitae - Clarence P. Riepma

176. 2 Items:

(a) Pictorial presentation including seven colored

Submission No. 274 continued

photographs (1 to 7) on mounted board with map showing subject lands, Nottawasaga River, Hockley Valley Road and Valley Schuss, submitted by Ronald Richards, April 14, 1981.

(b) Pictorial presentation including 13 color photographs (8 to 20) on mounted board showing development that has occurred in the area of (a), submitted by Ronald Richards, April 14, 1981.

177. Curriculum Vitae - Bruce Alan Brown.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of land designated Escarpment Protection will be changed to Escarpment Rural and we are of the opinion the balance of the property is properly designated and should remain within the Proposed Plan.

AGENT: David Matthews, Land Use Planner

OWNER: M. Bruno

LAND: East 1/2 Lots 29 and 30, Concession 5
Township of Mulumur

SUMMARY OF SUBMISSION:

The subject property constitutes some 80 hectares (200 acres) of land located in the northern part of the Township approximately 2.0 kilometres southwest of the Hamlet of Banda and 2.5 kilometres northwest of Randwick. It has a frontage of 1,200 metres on the concession road between Concessions 5 and 6 and abuts the township road dividing lots 30 and 31. The lands are quite level and visually are not part of the landscape associated with the Niagara Escarpment landform. Topographically the lands are similar to lands in Concession 6 to the east which are not designated in the Proposed Plan. A small stream valley traverses the northerly portion of the subject property. The owner is prepared to accept the Escarpment Natural designation on the small area of the westerly portion of the east half of Lot 30, Concession 5 some 10 to 20 acres, but opposes the Escarpment Protection designation on the balance. It is alleged that if indeed the Niagara Escarpment underlies the property it is at considerable depth and the objectives of the Commission could be equally well satisfied by designating the lands as Escarpment Rural. The Commission intent to protect local aquifers and headwaters of cold water streams would not be prejudiced by the Escarpment Rural designation, nor would the maintenance of the open landscape quality.

It is therefore requested that the proposed Escarpment Natural designation area be concurred with but the balance of the property be changed from Escarpment Protection to Escarpment Rural. Under the local official plan the lands are designated as Rural Residential.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 250 (Township of Mulmur) are accepted the request herein is complied with.

AGENT: John M.P. Hamilton

OWNER: Mr. and Mrs. R.M.P. Hamilton

LAND: Lots 16 and 17, Concession 2 and 3 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The above mentioned lands have been referred to as the "western" group totalling 150 acres of which 100 is workable farmland and the "eastern" group, some 410 acres, of which 150 acres is workable farmland. Objection is taken to the Niagara Escarpment Commission's designation of Escarpment Protection and Escarpment Rural placed on the subject lands. The owners wish to eventually divide part of the property among their family and perhaps also develop some lots. They believe the requirements of the Commission are much too onerous and do not provide the latitude the local official plan would permit. In addition they do not wish additional controls on the wooded lands which are now being managed efficiently.

It is requested that all of the subject lands be removed from the Plan and again be placed under Township jurisdiction.

EXHIBIT:

178. Air photo showing property of John Hamilton,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion of land designated Escarpment Rural will be removed from the Proposed Plan and the part designated Escarpment

Submission No. 276 continued

Protection will be changed to Escarpment Rural.

COUNSEL: Donald Kerr

OWNER: Samuel H. Morrow

LAND: Part Lot 14, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The submission concerns the lands shown outlined in orange on Exhibit 179, some 30 acres, although the main interest of the owner is to either be removed from the Plan or be given a development permit for a home on the westerly 15 acres and one for the rebuilding of an existing home. The 30 acre holding is in both Escarpment Protection and Escarpment Natural designations. Counsel outlined the difficulties experienced in attempting to procure a development permit and the high financial cost involved to his client. In addition it was pointed out that one is not permitted to argue one's case before the Niagara Escarpment Commission when it is considering a development permit application. He would prefer to be under official plan and zoning controls of the municipality as one is closer to the people who administer them. The property is in the east end of the Hamlet of Hornings Mills and there is residential development to the north, south and west of the property. Exception is not taken to the Escarpment Natural designation only the Escarpment Protection classification.

EXHIBIT:

179. Air photo showing property of Samuel H. Morrow,
Township of Melancthon, County of Dufferin.

RECOMMENDATION:

None.

Submission No. 277 continued

REASONS:

If our recommendation on Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

AGENT: Ralph Davison, Director

GROUP: Dufferin Federation of Agriculture

SUMMARY OF SUBMISSION:

The submission is in agreement with some portions of the Proposed Plan, but expresses the belief the Plan takes the wrong direction to protect farmland. Commercial livestock and cash crop farming should not be considered as part of the natural environment. It is felt agricultural lands are more likely to be wasted than preserved under some of the provisions of the Plan. Many of the uses proposed in the Rural classification are not compatible with farming. Concern is expressed with the uncertainties of development control criteria in the Proposed Plan coupled with the provisions of Sections 14 and 18 of the *Niagara Escarpment Planning and Development Act*:

"14. Notwithstanding any other general or special Act, where the Niagara Escarpment Plan is in effect and there is a conflict between any provision of the Plan and any provision of a local plan or any provision of a zoning by-law covering any part of the Niagara Escarpment Planning Area, then the provision of the Niagara Escarpment Plan prevails. R.S.O. 1980, c. 316, s. 14.

18. - (1) For the purposes of developing any feature of the Niagara Escarpment Plan, the Minister may, for and in the name of Her Majesty, acquire by purchase, lease or otherwise, or, subject to *Expropriations Act*, without the consent of the owner, enter upon, take and expropriate and hold any land or interest therein within the Niagara Escarpment Planning Area and sell, lease or otherwise dispose of any such land or interest therein.

Submission No. 278 continued

(2) The Lieutenant Governor of Council may designate any minister of the Crown in respect of any land acquired under subsection (1), and thereupon the minister so designated may, for the purpose of developing any feature of the Niagara Escarpment Plan,

- (a) clear, grade or otherwise prepare the land for development or may construct, repair or improve buildings, works and facilities thereon; or
- (b) sell, lease or otherwise dispose of any of such land or interest therein. R.S.O. 1980, c. 316, s 18."

The above sections deal with the pre-eminence of the Proposed Plan over local ordinances and expropriation respectively.

The Federation would request that the impact of the Plan on agricultural lands be reduced to a level consistent with the relatively limited acreages of exposed Escarpment outcrops in Dufferin County.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

OWNER: Ralph Davison

LAND: Lot 11, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission concerns approximately 110 acres of land in Mulmur Township. 60 acres is used for the growing of grain, hay and potatoes. 30 acres is pasture and 20 acres is a hardwood bush. Over all areas the soil would range from 2 to 7 on the Canada Land Inventory Index. The farm is designated as Escarpment Rural in the Proposed Plan and according to the Township submission should be removed from the Plan. Davison agrees. He already has had many unpleasant experiences where nearby lands were used for recreation and does not believe good farms should be used for buffers.

Farmland should not be included in the Proposed Plan in accordance with the requests of the Dufferin Federation of Agriculture and the Township of Mulmur.

EXHIBIT:

180. Air photo showing property of Ralph Davison,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be removed from the Proposed Plan.

FILE NO. 500-51

SUBMISSION NO. 280

OWNER: Norman H. Moffatt

LAND: South 1/2 Lot 6, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

This property consists of 100 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that the subject property be removed from the Proposed Plan and that the administration of all local affairs be returned to the duly elected municipal body.

EXHIBIT:

181. Air photo showing property of Norman H. Moffatt,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then these lands will be removed from the Proposed Plan.

OWNER: Ms. Margery Fitzgerald

LAND: North 1/2 Lot 6, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

This property consists of 100 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that the subject property be removed from the Proposed Plan and that the administration of all local affairs be returned to the duly elected municipal body.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then these lands will be removed from the Proposed Plan.

OWNER: K.D. Goodwin

LAND: South 1/2 Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The lands involved in this submission are designated Escarpment Protection under the Proposed Plan. Mr. Goodwin is concerned that the Proposed Plan does not permit anyone to know in advance what one could or could not do with lands covered by the Proposed Plan.

This submission was also concerned (along with several others) about the proposed designation of Escarpment Recreation on the property known as Monteclair Ski Centre. Mr. Goodwin points out that the Proposed Plan refers to this as a major existing recreational ski centre whereas Mr. Goodwin states that the centre has been non-operational since 1974.

RECOMMENDATION:

None.

REASONS:

The reasons for this are contained in Submission 257 (Joyce Jones).

AGENT: Donald Sinclair

OWNER: Mrs. Helen Sinclair

LAND: East 1/2 Lot 12, Concession 1 E.H.S.
Part South West 1/4 Lot 12, Concession 2 E.H.S.
South East 1/2 Lot 13, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Protection and Escarpment Natural under the Proposed Plan. A branch of the Nottawasaga River flows through these lands over four waterfalls and through a deep gorge and is referred to as Scott's Falls an area that the Proposed Plan recommends be acquired. This submission made the following requests:

1. That Scott's Falls be removed from its present designation of priority regarding acquisition.
2. That the designation of Lot 12, Concession 1 E.H.S., Township of Mono, be changed from Escarpment Protection to Escarpment Rural, failing this, that exception be made specific to this parcel allowing for severance of all or part of the parcel.
3. That the south east half of Lot 13, Concession 1 E.H.S., Township of Mono, be changed in designation from Escarpment Protection to Escarpment Rural, or that the regulations in the Plan be clarified so as to allow for expansion of present dwellings.

EXHIBIT:

182. Air photo with overlay showing subject property of Mrs. Helen Sinclair, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

The matter of land for acquisition has been dealt with elsewhere in this report and if our recommendations in Submission 316 (Township of Mono) is concurred with the portions of land designated Escarpment Protection will be changed to Escarpment Rural.

OWNER: Sergei and Erika Rauk

LAND: Part West 1/2 Lot 11, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Protection in the Proposed Plan as is the parcel of land immediately to the south of the subject property. This submission is concerned with an apparent farming operation being carried out on the neighbouring property contrary to Niagara Escarpment Commission approval and while the Rauks have been advised that the Niagara Escarpment Commission proposes legal action to remedy the apparent wrong doing no action has been taken to date.

RECOMMENDATION:

None.

REASONS:

The problem referred to is not within our jurisdiction but if our recommendation in Submission 316 (Township of Mono) is concurred with these lands will be redesignated Escarpment Rural.

OWNER: Mrs. Margaret B. Farnell

LAND: Part West 1/2 Lot 12, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission, along with several others, is concerned with the Escarpment Recreation designation being proposed for the ski centre known as Monteclair which has not apparently been in operation since 1974, and requests that consideration be given to changing the proposed designation to either Escarpment Protection or Escarpment Natural.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in Submission 257 (Joyce Jones).

OWNER: Ian Hawkins

LAND: Lot 29, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consisting of 200 acres is designated Escarpment Natural, Escarpment Protection and Escarpment Rural. Mr. Hawkins, who operates this farm in partnership with his father, states that the portions proposed to be designated Escarpment Natural and Escarpment Protection form an integral part of this farm operation. This submission requests that the "control of land be turned back to the local councils" and in any event is concerned that the Proposed Plan places greater emphasis on recreation than farming.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion designated Escarpment Rural will be removed from the Proposed Plan and the part designated Escarpment Protection will be changed to Escarpment Rural.

OWNER: Tom Reive

LAND: West 1/2 Lot 12, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Natural in the Proposed Plan but this submission was more concerned with certain general aspects of the Plan as well as the Monteclair Ski Centre. The Monteclair Ski Centre is the subject of many submissions in this area with particular reference to the contention that it has not operated since 1974 and if its proposed designation of Escarpment Recreation is made final that such annoying things as snowmobiles will be allowed to run rampant over the property.

As far as the general aspects of the Plan are concerned this submission is critical of the Proposed Plan for what Mr. Reive considers to be concerns that are not dealt with in the Plan such as:

1. No effective standards of development.
2. No mention of pollution of the environment.
3. Plan fails to set standards for existing uses.

Among other things primarily dealing with public nuisances.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones). This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these

problems in our recommendations, comments and reasons in the general section of this report.

OWNER: Harold Davidson

LAND: West 1/2 Lot 28, Concession 1 E.H.S.
North 1/2 of West 1/2 Lot 31, Concession 1 E.H.S.
West Part Lot 32, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The above properties comprise over 300 acres and have Escarpment Rural, Escarpment Protection and Escarpment Natural designations in the Proposed Plan. All are being actively farmed.

This lengthy and well prepared brief may be summarized as follows:

1. The Proposed Plan be changed so that scarp areas, only, in Mulmur Township be included.
2. The Plan area be reduced to eliminate all good agricultural lands unless some landowner indicates his wishes to be included.
3. The Plan place greater emphasis on the need for existing and continuous agriculture in the future.
4. Recreational uses be encouraged in our parks and not on private land.
5. An economic study of agriculture and the impact the Plan might have on it in the Township of Mulmur.
6. Where there is a conflict of land use, farming must take priority. In time the land will become available to the purchasing body.
7. The word "viable" be removed because of its difficult and unsatisfactory explanation. It is a very inappropriate word at the present time.

8. A needs study for more public parks should be done by the appropriate Ministry if any more land is to be acquired in the Township of Mulmur.
9. The Commission direct the Government agency responsible to purchase any such land at a fair market price.
10. The word expropriation be removed from the Plan and the *Niagara Escarpment Planning and Development Act*.
11. The future plan be administered by local government. A plan has been suggested by Ross Raymond, planning consultant.
12. Present wording must be clarified.
13. Remove the Bruce Trail from the Plan.
14. All "trails" be on public land or road allowances only. (Unless willing landowners consent to have the Bruce Trail return to their lands).
15. For reasons stated throughout this brief, I ask for my farm:
 1. W 1/2 Lot 28, Concession 1 E.H.S.
 2. N 1/2 of W 1/2 Lot 31, Concession 1 E.H.S.
 3. W Part Lot 32, Concession 1 E.H.S.in Mulmur Township be removed from this or any plan that the Niagara Escarpment Commission may rewrite or present.

EXHIBIT:

183. Air photo showing property of Harold Davidson, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

As far as the subject lands are concerned if our recommendations in Submission 250 (Township of Mulmur) are concurred with the portion of these properties proposed to be designated Escarpment Rural will be removed from the Plan and the portions proposed to be designated Escarpment Protection will be changed to Escarpment Rural and remain within the Plan.

As far as the other matters raised in this submission are concerned we have attempted to deal with them elsewhere in this report.

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission is further to Submission 215 (G 700-143) made at Owen Sound and re-affirms that submission with the following recommendations:

1. That pits and quarries in the Escarpment Natural Areas, and Escarpment Protection Areas be prohibited; and
2. That prior to licensing a pit or quarry in the Escarpment Rural Areas, there must be an assessment of its proposed impacts on the environment, the social affects and the affects on prime agricultural lands, along with an amendment to the Niagara Escarpment Plan; and
3. That in the event that a permit or licence is issued in the Escarpment Rural Areas, after careful scrutiny of the environmental assessment, that stringent requirements for rehabilitation of the site back to its original use, and compatible with adjacent lands, along with a firm timetable for complete restoration be made conditions of any licence.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments

Submission No. 289 continued

and reasons in the general section of this report.

OWNER: Ralph and Donna Goldman

LAND: East 1/2 Lot 10, Concession 5
Township of Mono

SUMMARY OF SUBMISSION:

Mr. and Mrs. Goldman pointed out that their property could be divided into lots on the Hockley Road but were prevented from doing so by the Proposed Plan. The lands in question are proposed for both Escarpment Protection and Escarpment Natural Areas. The evidence indicates that at one time there was a proposed plan of subdivision on these lands which was turned down.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of land designated Escarpment Protection will be changed to Escarpment Rural and we are of the opinion the balance of the property is properly designated in the Proposed Plan and should remain within the Plan.

OWNER: Mr. and Mrs. Harold Kendal

LAND: West 1/2 Lot 11, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. and Mrs. Kendal presented a brief to the hearing which dealt with the proposed designation of the Monteclair Ski Area and requested the Escarpment Recreation designation be changed to Escarpment Protection. The Niagara Escarpment Commission called no evidence.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

AGENT: David Forrester

GROUP: Hockley Valley Improvement Association

SUMMARY OF SUBMISSION:

David Forrester read a brief on behalf of the Association. It was pointed out that the Association favours the preservation of natural features. A feed lot operation should be eliminated as a use because of possible pollution. Many types of recreational activities such as motorcycles, snowmobiles, and ski resorts should be severely limited. More allowance should be made for the creation of lots by severances. The elected council should be responsible for the administration of controls.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

OWNER: Gordon Henry

LAND: Part Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Would like to see the designation proposed on his property changed to Escarpment Rural. Essentially Mr. Henry is opposed to the Niagara Escarpment Commission controls and feels that development should be allowed to proceed.

EXHIBIT:

184. Air photo showing property of Gordon Henry,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with the request herein will be granted.

OWNER: Miss Norah Henry

LAND: Part East 1/2 Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Miss Henry owns 10 acres of land and was represented by her brother, Gordon Henry (Submission 293), at the hearing. The evidence given in this case is essentially the same as for Mr. Henry's property and again Miss Henry wishes to be removed from the Escarpment Protection Area. This may be a case where the boundaries are determined by the road allowance.

EXHIBIT:

185. Air photo showing property of Miss Norah Henry,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with the request herein will be granted.

OWNER: Harold P. Smith

LAND: East 1/2 Lot 15, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Smith owns a 20 acre woodlot which is being managed under the guidance of the Ministry of Natural Resources. Mr. Smith is concerned with the implications of Section 2.9 in the Proposed Plan and the possibility that additional criteria may be applied by the implementing body. He would also like to see the local elected officials have a say in the consideration of applications. He also expressed opposition to the designation proposed for the Monteclair Ski Area and indicated it should be rejected.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

OWNER: Russell Tate

LAND: Lot 5, Concession 1
Lot 12, Concession 1
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Tate has a century farm and operates a beef farm. He stated that he wishes the proposed designations of Escarpment Protection and Escarpment Natural be removed from his lands because they could hamper his present operation. He also feels that the proposed designation for the Boyne River Park could have harmful effects on his land. He also explained that the Bruce Trail follows the road allowance between his two properties and has been a great source of annoyance to him because in his opinion the trail is not adequately supervised.

EXHIBIT:

186. Two Air Photo:

- (a) Air photo showing property of Russell Tate,
E 1/2 Lot 5, Concession 1 W.H.S., Part W 1/2
Lot 5, Concession 1 E.H.S., Township of Mulmur,
County of Dufferin.
- (b) Air photo showing property of Russell Tate,
E 1/2 Lot 12, Concession 1 W.H.S., Township of
Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is

Submission No. 296 continued

concurred with a portion of these properties designated Escarpment Protection will be changed to Escarpment Rural.

OWNER: Dr. John Franklin

LAND: East 1/2 Lot 7, Concession 1
Township of Mono

SUMMARY OF SUBMISSION:

Dr. Franklin owns a four acre lot on the Hockley Road and stated that he was grateful for the protection afforded him by the Proposed Plan of the Niagara Escarpment Commission. He appears to be very skeptical about the ability of the local council to control things. Dr. Franklin is a permanent resident of the area although he works in the city.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Earl Dodds

LAND: Part East 1/2 Lots 7 and 8, Concession 5 E.H.S.
West 1/2 Lot 7, Concession 6 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Dodds' total holdings amount to 350 acres and all of his land is in the Proposed Plan. He wishes to have all of his land removed from the Plan and control returned to the local elected officials. Most of this property has been in his family since 1824 and was a crown grant from Queen Victoria. He cited a case where he had applied for a severance which was objected to by the Niagara Escarpment Commission. In his opinion his lands have been devalued because of the controls. He also pointed out that the proposed Escarpment Natural Area is a vital part of his farming operation and in fact one five acre field in the Escarpment Natural Area is under active cultivation. This is an area where the Escarpment is buried.

EXHIBIT:

187. Air photo showing property of Earl Dodds,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 316 (Township of Mono) is concurred with a portion of these lands designated Escarpment Protection will be changed to Escarpment Rural.

OWNER: Kenneth A. Gariepy, Q.C.

LAND: Part East 1/2 Lot 14, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Gariepy owns approximately 61.5 acres of land which has been improved with two homes. Mr. Gariepy spoke at length about the construction of ponds and dams on private property and he feels that the Proposed Plan does not make sufficient provision for these. He recommended that a section be added to Escarpment Natural, Escarpment Protection, Escarpment Rural, Escarpment Recreation and Mineral Resource Areas showing ponds and dams as a permitted use. He is opposed to the Escarpment Recreation designation given to Monteclair Ski Centre.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with portions of this property designated Escarpment Protection will be changed to Escarpment Rural..

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

OWNER: Mr. and Mrs. Gary H. Corlett

LAND: Part West 1/2 Lot 18, Concession 1 E.H.S.
Part East 1/2 Lot 19, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

According to the Proposed Plan these properties are included partly in the Escarpment Rural and Escarpment Natural designations and contain some 60 acres in total. This submission may be summarized as follows:

1. To spell out more clearly the intent of the Plan in a set of guidelines to be administered by existing municipal government and embodied in its official plan.
2. To continue with park development and appropriate land acquisition for such purposes, as funds permit - people do need playgrounds other than the backyards of their neighbours.
3. Carry out a similar kind of study for the other large areas of the Province where our heritage and our resources are being subjected to desecration and set up locally administered official plans for them.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Mrs. L. Horton

LAND: West 1/2 Lot 15, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was not concerned with the designation of Escarpment Protection in the Proposed Plan for the subject property but rather requested that the designation for Monteclair Ski Resort be changed from Escarpment Recreation as proposed in the Plan to Escarpment Protection.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

OWNER: Mr. and Mrs. D.B. Fowler

LAND: Part West 1/2 Lot 9, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the method used in the Proposed Plan to show Minor Urban Centres in that the red circles do not appear to give an accurate impression of size or location of a hamlet.

The Fowlers contended in their submission that the Niagara Escarpment Commission should have restricted their activities to areas that are unquestionably "Escarpmen Natural Areas".

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

OWNER: Mrs. Patricia Howes

LAND: Parcel 9, South 1/2 Lot 16, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property consists of some 14 acres designated mainly Escarpment Natural in the Proposed Plan. This submission may be summarized as follows:

1. Return planning to local government immediately.
2. Cut back the control area to only the visible Escarpment.
3. Do away with development control.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

COUNSEL: George Shepherd

OWNER: Mrs. Evelyn Gallaugher

LAND: Part Lot 14, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property of approximately twelve acres is vacant land designated in the Proposed Plan as Escarpment Rural with some Escarpment Natural along the easterly portion.

This submission simply requests that the subject property be removed completely from the Proposed Plan primarily because of the uncertainty and fear of what the rules will be under the Proposed Plan if and when it is fully approved.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

COUNSEL: George Shepherd

OWNER: Mrs. L. McLaren

LAND: Part West 1/2 Lot 15, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property consists of two parcels totalling some 18 acres and are designated partly Escarpment Rural and partly Escarpment Natural under the Proposed Plan.

This submission was to the effect that the subject lands be under the jurisdiction of the Melancthon Township Official Plan and zoning by-laws.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted this property will be removed from the Proposed Plan.

FILE NO. 500-94

SUBMISSION NO. 306

COUNSEL: George Shepherd

OWNER: Mrs. Jaunita Gallaugher

LAND: Part Lot 15, Concession 2
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property is a small farm of some 40 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that these lands be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

COUNSEL: George Shepherd

OWNER: Mrs. V. Hardman

SUMMARY OF SUBMISSION:

The subject property is a two acre parcel of land on the west side of Mill Lane in Hornings Mills and is designated Escarpment Rural and Escarpment Natural under the Proposed Plan. This submission requested that these lands be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted this property will be removed from the Proposed Plan.

OWNER: George Shepherd

LAND: Part Lot 14, Concession 2
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property consists of some 50 acres and is designated Escarpment Rural under the Proposed Plan. The submission requests that these lands be removed from the Niagara Escarpment Proposed Plan for the following reasons as set out by Mr. Shepherd:

1. Lands designated hamlet residential under local official plans.
2. Disagrees with concept of development control.
3. Since lands are on extreme edge of Plan, the Plan would not be affected adversely by the removal of these lands.
4. Disagrees with vagueness of development policies as set out in Section 2.9 of the Proposed Plan.

EXHIBIT:

188. Air photo showing property of George Shepherd,
Township of Melancthon, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

OWNER: A.D. MacMillan

LAND: Part East 1/2 Lot 18, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consists of two separate parcels containing approximately 18 acres and designated Escarpment Rural under the Proposed Plan.

This submission requests that these lands be removed from the Proposed Plan primarily because Mr. MacMillan does not want his lands included in any plan that in his opinion does not consider agriculture as a prime land use and also Mr. MacMillan feels that his lands, being some five miles from the actual scarp, do not really belong in a plan to protect the scarp.

EXHIBIT:

189. Air photo showing property of A.D. MacMillan,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the subject lands remain in the Plan.

REASONS:

While we have recommended in Submission 250 (Township of Mulmur) the removal of all Escarpment Rural designated lands from the Proposed Plan in this Township, in our opinion the retention of these Escarpment Rural designated lands in this case is required to provide an adequate buffer in this immediate area.

OWNER: Dr. and Mrs. V.R. Perry

LAND: South West 1/2 Lot 19, Concession 2 W.H.S.
West 1/2 Lot 18, Concession 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The two owners were represented by their son, Robert Perry, at the hearing. This property consists of some 150 acres and has been mainly planted in trees. It is the wish of the owners to be removed from the Plan and four main reasons were cited. These are as follows:

1. Mulmur Township already controls land use in the spirit the Niagara Escarpment Commission is setting out to accomplish.
2. Municipal government is more responsible to the people than the Niagara Escarpment Commission.
3. The Escarpment could become polluted by the public when lands are under control of the Niagara Escarpment Commission.
4. There are no legal assurances land uses permitted by the Niagara Escarpment Commission will not become even more stringent in the future.

EXHIBIT:

190. Air photo showing property of Dr. and Mrs. V.R. Perry, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated Escarpment Rural and retained in the Proposed Plan.

OWNER: Goetz Koechlin

LAND: Northwest Corner Lot 24, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Koechlin owns a 4.5 acre parcel of land near Honeywood in the Township of Mulmur. He is concerned that the Township has requested large areas of the Plan to be deleted. It is his opinion that the Proposed Plan is a good one and he also feels that because of the scope of the Plan that it is a good idea to have the terms of the Plan general in nature in order to give the planners wider scope. He feels that the Plan safeguards his property value but it is his opinion that too many applications to the Niagara Escarpment Commission have been successful. He is a member of the Bruce Trail Club and feels badly about the criticism it has received. Mr. Koechlin also feels that the local people could not handle the administration of the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

AGENT: Charles Hopkins, Principal

GROUP: Boyne River Natural Science School

SUMMARY OF SUBMISSION:

Mr. Hopkins pointed out that these lands are owned and operated by the Toronto Board of Education. The site is extensively used for outdoor education. He pointed out that some of the lands are located in the Escarpment Natural Area and there may be a need to build on the site in the future. They would like the same privileges as the Ministry of Natural Resources in developing parks.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the Proposed Plan will not interfere with the proper operation of the site by the Toronto Board of Education and if our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion of land proposed for Escarpment Protection designation will revert to Escarpment Rural.

AGENT: Dr. Thomas Meredith

OWNER: C.T. Meredith

LAND: North 1/2 Lot 31, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Dr. Thomas Meredith appeared on behalf of the subject owner and presented a prepared brief. He supports the idea of Escarpment preservation but feels that agricultural lands should be removed from the Plan. It is his opinion that the difference between ecological and cultural conservation should be clarified. He feels that the Niagara Escarpment Commission's controls are an added burden to the farmer. This is one of those areas where the scarp is completely buried and can only be identified by the "Hewitt" definition. Dr. Meredith feels that the whole Proposed Plan should be reworked.

EXHIBIT:

191. Air photo showing property of C.T. Meredith, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted then these lands will be removed from the Proposed Plan.

OWNER: Mrs. Margaret Jarvis

LAND: Part East 1/2 Lot 14, Concession 6
Mono Township

SUMMARY OF SUBMISSION:

Mrs. Jarvis feels that her property which has been included in the proposed Escarpment Protection Area should be removed from the Proposed Plan. It is her opinion that she is 3.5 miles removed from the ridge of the Escarpment and the Bruce Trail. She has a fear that the controls will depreciate her property. One of the reasons why this property was designated in this manner was the proximity of a river although on examination some of the land adjacent to the river is proposed for an Escarpment Rural designation.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted these lands will be designated Escarpment Rural and remain in the Proposed Plan.

OWNER: Mr. Douglas Howes

LAND: Part South 1/2 Lot 6, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Howes who also appeared at the Phase I hearing (G 200-54) in Ancaster, again spoke and voiced his opposition to the Proposed Plan. He feels that the controls for land use should be left with the local municipalities. He does not agree with the concept of preserving the Escarpment where it lies below the ground. He also pointed out that in some areas where the buried scarp was marked on the map it was removed from areas which are proposed for control. He expressed the opinion that where the Escarpment lies beneath the ground it could hardly be considered to be scenic and apart from the technical or academic interest to the geologist, it does not appear to have any significant importance. He stated that not enough emphasis was placed on the social or economic impact to the municipality.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mono

SUMMARY OF SUBMISSION:

The evidence on behalf of the Township of Mono was presented by Jack Cruttenden, a qualified planner. He pointed out that if approved the Niagara Escarpment Commission controls will cover 39.4% of the total Township lands. The witness outlined the planning history in this Township back to the formation of the planning board in 1953. He stated that it was the wish of the Township of Mono that where adequate controls exist at the present time that these areas be removed from development control; however, if an owner wishes to remain under Niagara Escarpment Commission control they should be permitted to do so. It was also pointed out that in most cases the general goals of the Township were not that different from the Niagara Escarpment Commission. In connection with Escarpment Natural Areas it is his opinion that for the most part these agree with the hazard areas identified in the local plan. Section 2.3 and 2.4 of the Proposed Plan were also dealt with and comments made on suitable changes. One point made was that the Mono Official Plan shows the Escarpment in the Plan whereas the Niagara Escarpment Commission's Proposed Plan does not. In Minor Urban Areas Violet Hill was not recognized and should be. In Escarpment Recreation Areas it was pointed out that some of the boundaries shown are not correct and that the local Plan permits activities other than just skiing. It was also pointed out that one lot (East 1/2 Lot 3, Concession 7) shown for mineral extraction has already been rehabilitated and may present difficulties with future use.

Several comments were made with respect to Section 2.9 and 2.10. In the matter of Section 3.0 of the Proposed Plan some difficulties may arise with respect to trail development. In the case of the proposed appeal procedure he takes strong issue with

giving such wide notice. The witness agrees that where the Escarpment Natural Areas remain in the Plan they should be under development control but that in Escarpment Protection and Escarpment Rural Areas that controls be removed unless requested by individuals. He also feels that there should be an overall monitoring authority on a continuing basis.

EXHIBIT:

192. Curriculum Vitae - Francis John Cruttenden

RECOMMENDATION:

That the Proposed Plan in the Township of Mono be modified by the deletion of the Escarpment Rural designated lands, and that it be further modified by changing the Escarpment Protection designated lands to Escarpment Rural. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)

No recommendation necessary in connection with Violet Hill since this area would be removed by our recommendation herein.

REASONS:

Although the Township of Mono in this submission did not specifically request that certain lands be removed from the Proposed Plan we are of the opinion that the Township of Mono's evidence was such that their request was for deletion of a substantial portion of the Township that is included in the Proposed Plan.

Our recommendations, comments and reasons in the general section of this report include a recommendation that areas where the scarp is buried be treated differently from areas where the scarp is visible. From the evidence adduced in this submission and the evidence adduced in the Phase I, Submission 150 (G 700-102) which

Submission No. 316 continued

supports the fact that in this Township the scarp is largely buried led us to make this recommendation which is the same as made in Submission 250 (Township of Mulmur) since similar topography exists in the two municipalities.

OWNER: Eric and Phyllis White

LAND: West 1/2 Lot 6

South 1/2 of West 1/2 Lot 7, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. White requested that his farm be removed from the Proposed Plan. Mr. White pointed out that he is the fifth generation of his family to farm the subject lands and cannot see how they bear any relation to the Escarpment. He pointed out that there is a drilled well on Lot 6 to a depth of 450 feet and no rock was encountered. He also stated that for 20 years he was on the Credit Valley Conservation Authority and had personally planted several thousand trees on his land. He feels that there are many ill considered factors in the Proposed Plan and in fact it devalues properties. He requests that control be returned to local authorities.

EXHIBIT:

193. Air photo showing properties of Eric and Phyllis White, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then the portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and the portion designated Escarpment Protection will be changed to Escarpment Rural and will remain in the Plan as a buffer to the Escarpment Natural Area.

AGENT: Ian F. MacNaughton, Planner

OWNER: Standard Industries Ltd.

LAND: Part Lot 3, Concession 7 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission concerned a property which is designated Mineral Resource but which has now been mined out and the land has been rehabilitated. Mr. MacNaughton feels that there must be some consideration given in the Proposed Plan dealing with permitted uses in rehabilitated areas. One method suggested by the witness of clearing up this problem would be to change the proposed designation from Mineral Resource to Escarpment Protection and Escarpment Rural on these lands. The witness also suggested certain changes to the wording of Section 2.8 as shown which would not require an amendment to the Plan.

RECOMMENDATION:

That these lands be designated Escarpment Rural.

REASONS:

On the basis of the evidence adduced and having regard to our recommendation in Submission 316 (Township of Mono), the proper designation of these lands is Escarpment Rural.

OWNER: Keith Halbert

LAND: Part West 1/2 Lot 15, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Halbert read from a prepared brief and outlined some of the difficulties he has encountered in trying to dispose of his land. It was pointed out that at one time the Niagara Escarpment Commission asked for a restrictive covenant on his land and another time he was told that development would be a visual intrusion on the Bruce Trail. It was also pointed out that an application for a wayside pit to sell gravel to the Township had been refused. He also pointed out that he has encountered difficulties with hikers in the area around the limekilns and that he is not happy with areas marked for acquisition. He wishes to be removed from the Proposed Plan and placed under local controls.

EXHIBIT:

194. Air photo showing properties of Keith and Ruth Halbert, and son, David Halbert, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then the bulk of these lands will be changed from Escarpment Protection to Escarpment Rural and remain within the Proposed Plan.

COUNSEL: Geoffrey T. Mullin

OWNER: Edelbrock Bros. Ltd.

LAND: Part East 1/2 Lot 6, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is the subject of a plan of subdivision which is close to receiving draft approval. It is the only area of Mono Study Area No. 1 that is within the area covered by the Proposed Plan. This submission requests removal of these lands from the Plan.

EXHIBIT:

195. General Plan, Township of Mono, Suburban Study Area No. 1 - R.J. Burnside and Associates Ltd., Orangeville, Ontario - Drawing 101 - Scale: 1:2000. Map showing five areas of proposed development including Edelbrock Bros. Ltd. proposed development area three and Niagara Escarpment Proposed Plan designations.

RECOMMENDATION:

We recommend that the Proposed Plan be modified by the deletion of these lands.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted a portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural also be removed from the Proposed Plan.

OWNER: Howard Ferris

LAND: Part Lots 11 and 12, Concession 3 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject lands comprise some 50 acres and are designated Escarpment Protection under the Proposed Plan and are being actively farmed.

This submission requests that the Niagara Escarpment Commission be abolished or failing that that the subject lands be removed from the Proposed Plan since Mr. Ferris prefers dealing with the local council.

EXHIBIT:

196. Air photo showing property of Howard Ferris, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation on Submission 250 (Township of Mulmur) is accepted then the portion of these lands designated Escarpment Protection will be changed to Escarpment Rural and remain in the Proposed Plan.

AGENT: Gordon Henry

OWNER: Kenneth and Pauline Henry

LAND: Part Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property comprises some 80 acres which is designated Escarpment Protection under the Proposed Plan. This submission is concerned that because of the Plan and the proposed designation that what Mr. and Mrs. Henry considered to be their pension plan will no longer be the case and request that the designation be Escarpment Rural.

EXHIBIT:

197. Air photo showing property of Kenneth and Pauline Henry, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then these lands will be designated Escarpment Rural and remain in the Proposed Plan.

AGENT: Earl Dodds

OWNER: Donald Robb

LAND: Part Lot 8, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is a one acre lot acquired by Mr. Robb in 1943 and is designated Escarpment Natural under the Proposed Plan.

This lot, while apparently an existing lot of record, has difficulties over and above those that the Proposed Plan may inflict such as not being able to obtain approval for a septic tank.

EXHIBIT:

198. Air photo showing property of Donald Robb,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated.

OWNER: Mrs. Kathy Miller

LAND: East 1/2 Lot 28, Concession 1 E.H.S.
East 1/2 Lot 11, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This land comprises 100 acres of which 90 acres are under cultivation and 10 acres are a hardwood bush. It is designated Escarpment Protection under the Proposed Plan. This submission was primarily concerned with being allowed only one severance per 100 acres and requests that these lands be removed from the Proposed Plan.

The Millers own part of the east half of Lot 11, Concession 1 E.H.S. in the Township of Mono. Although this parcel is in the Proposed Plan it is not covered by development control and the request is that these lands also be removed from the Proposed Plan.

EXHIBIT:

199. Air photo showing property of Mrs. Kathy Miller,
Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject properties. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletions were made at these hearings. It is further suggested that the Niagara Escarpment Commission give consideration to deleting the property immediately south of the subject property in Lot 11, Concession 1 E.H.S.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

OWNER: John R. Johnston

LAND: Part 4 of Lot 32, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property fronts on Highway 89 and is designated Escarpment Rural and Escarpment Natural under the Proposed Plan. The request by this submission is that the subject lands be removed from the Proposed Plan. It is noted that the lands directly across the highway in the Township of Mulmur are not covered by the Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of these lands.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of these lands designated Escarpment Rural in the Proposed Plan will be removed therefrom and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural should also be removed from the Plan.

COUNSEL: George H. Shepherd

OWNER: Mr. and Mrs. Mervyn Ferris

LAND: Part Lots 13 and 14, Concessions 1 and 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission requests that the subject lands designated as Escarpment Protection be removed from the Proposed Plan or that the designation be changed to Escarpment Rural.

EXHIBIT:

530. Air photo showing property of Mr. and Mrs. Mervyn Ferris, Part Lots 13 and 14, Concessions 1 and 2 W.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted then the bulk of these lands will be changed to Escarpment Rural and remain in the Proposed Plan.

OWNER: Keith J. McNenly

LAND: Part East 1/2 Lot 6, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is proposed to be designated Escarpment Natural and Escarpment Rural. This submission requests that the property be removed from the Proposed Plan.

EXHIBIT:

531. Air photo showing property of Keith J. McNenly,
Part E 1/2 Lot 6, Concession 1 W.H.S., Township
of Mono, County of Dufferin.

RECOMMENDATION:

We recommend that the Proposed Plan be modified by deletion of these lands from the Plan.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted a portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural also be removed from the Proposed Plan.

FILE NO. S 500-61

SUBMISSION NO. 700
(Written Only)

OWNER: L.S. Dodds

LAND: Part West 1/2 Lots 9 and 10, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was in support of the position of the Council of the Township of Mono as expressed at the Phase I hearing in Owen Sound and with respect to the subject lands.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then the portion of these lands designated Escarpment Protection in the Proposed Plan will be changed to Escarpment Rural and remain in the Plan.

OWNER: Mr. and Mrs. H.P. Graham

LAND: East 1/2 Lot 31, Concession 5 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property comprises 100 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. The submission gave the opinion that the lands are not part of the Escarpment landform nor lands in its vicinity and requested that the property be removed from the Proposed Plan.

EXHIBIT:

532. Air photo showing property of Mr. and Mrs. H.P. Graham, East 1/2 Lot 31, Concession 5 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted the bulk of these lands will be changed from Escarpment Protection to Escarpment Rural and remain within the Proposed Plan.

AGENT: Lynn Wilkinson

OWNER: Robert Wilkinson

LAND: Part East 1/2 Lot 32, Concession 1 E.H.S.

Part West 1/2 Lot 32, Concession 2 E.H.S.

Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property comprises 100 acres and is part of a 300 acre family farm operation. It is proposed to be designated Escarpment Protection, Escarpment Natural and Escarpment Rural. This submission, among other things, maintained that farming is not a part of the natural environment and further it requested that the subject property be removed from the Proposed Plan.

EXHIBIT:

533. Air photo showing property of Robert Wilkinson,
Part E 1/2 Lot 32, Concession 1 E.H.S. and
Part W 1/2 Lot 32, Concession 2 E.H.S., Township
of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted the portion designated Escarpment Rural will be deleted from the Proposed Plan and the portion designated Escarpment Protection will be changed to Escarpment Rural and remain in the Plan.

OWNER: Wilson R. Still and Ruth Still

LAND: Part West 1/2 Lot 8, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property contains some 71.5 acres and is proposed to be designated Escarpment Protection and Escarpment Natural. The submission expresses the opinion that there is no need for the Niagara Escarpment Commission's Proposed Plan and requests removal from the Proposed Plan.

EXHIBIT:

534. Air photo showing property of Wilson R. Still,
Part W 1/2 Lot 8, Concession 3 E.H.S., Township
of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the subject property will remain in the Proposed Plan with the portions designated Escarpment Protection changed to Escarpment Rural.

OWNER: William Sloam

LAND: Part East 1/2 Lot 20, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property comprises some 68 acres and is proposed to be designated Escarpment Protection and Escarpment Rural. The submission only expressed the desire to be removed from the Proposed Plan.

EXHIBIT:

535. Air photo showing property of W. Sloam, Part E 1/2 Lot 20, Concession 1 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the subject lands remain in the Plan.

REASONS:

In our opinion the retention of the Escarpment Rural designated lands is required to provide an adequate buffer in the immediate area. There was no recommendation made on the Escarpment Protection designated lands in this submission because if our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated as Escarpment Rural.

COUNSEL: George Shepherd

GROUP: Niagara Escarpment Central Ratepayers Association

SUMMARY OF SUBMISSION:

This submission generally summarizes the wishes of this Association in Dufferin County and indicates support for positions taken by the Townships within the County that have lands included in the Proposed Plan and to show the importance of agriculture in Dufferin County. The submission then made the following recommendations:

1. In order to attempt to renew Niagara Escarpment Commission credibility among the agricultural community a liaison group be established to consist of a cross-section of the agricultural community within a county or region. This group could establish a working relationship with all concerned in order to maintain agriculture as a viable industry.
2. The Niagara Escarpment Commission prepare a thorough and comprehensive study and report on the entire agricultural industry within a county or a region along all of the planning area.
3. An agricultural policy be written for each county or region to promote agricultural production with the input of all agricultural organizations such as the Ontario Federation of Agriculture, Christian Farmers Federation, National Farmers Union, etc. Emphasis should be placed on the effect the plan will have on the economy of the municipality or region.
4. The Commission acknowledge that recreation and agriculture are not compatible.
5. The Commission should understand that there cannot

Submission No. 705 continued

be restrictions placed on farmland within the Escarpment control area, restrictions which would not apply to the farms in the remainder of the municipality.

6. The Commission accept that municipal zoning by-laws be the preferred method of land use control.

EXHIBITS:

536. Township of Mono, Map 1, County of Dufferin.
Additional markings indicate "land supported by public funds".

537. Map, Township of Mulmur, County of Dufferin.
Additional markings indicate lands owned by the following: Government, school, Dufferin County and Township of Mulmur".

538. Map of the Township of Mulmur, County of Dufferin.
Additional markings indicate land "owned by resident farmer" and "rented by resident/area farmer".
Source 1981 assessment roll.

539. Township of Mono, Map 1, County of Dufferin.
Additional markings indicate land "owned by resident farmer" and "rented by resident/area farmer". Source 1981 assessment role.

RECOMMENDATION:

None.

REASONS:

In recommendations found elsewhere in this report these matters are dealt with save and except for those issues raised that are not within our jurisdiction.

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan as it affects Dufferin County.

EXHIBIT:

540. A section of the Niagara Escarpment Commission Proposed Plan Map 4, County of Dufferin: Township of Mono, with additional markings indicating 52 property owners (43 in Proposed Plan and 9 outside Proposed Plan) supporting the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Mr. and Mrs. A.G. Fells

LAND: West 1/2 Lot 22, Concession 7 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Although the subject property is not within the area of the Proposed Plan the owners expressed support for the Niagara Escarpment Commission and the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Robert J. Long

SUMMARY OF SUBMISSION:

This submission did not refer to any specific property but expressed support for the Proposed Plan while at the same time set out three areas of concern having to do with:

1. Administration.
2. Implementation.
3. Commitment to preserve the Escarpment in the future.

Mr. Long also stated the opinion that the Niagara Escarpment Commission should have other professional staff as well as planners so that proper information would be available to make decisions.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 500-106

SUBMISSION NO. 709

COUNSEL: E.R. Murray, Q.C.

OWNER: Mrs. Helen L. Murray et al

LAND: West 1/2 Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission requested that the designation of the Monteclair Ski Centre be changed from Escarpment Recreation to that of the surrounding property.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones).

OWNER: Mrs. Doreen B. Gariepy

LAND: East 1/2 Lot 14, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

This submission was in objection to the Escarpment Recreation designation placed on the Monteclair Ski Centre and requested removal of that designation to be replaced by the Escarpment Natural designation.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones).

OWNER: James White

LAND: (a) Part West 1/2 Lot 31, Concession 3 E.H.S.
Township of Mono
(b) Part East 1/2 Lot 2, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Property (a) above is proposed to be designated Escarpment Natural and Escarpment Rural while property (b) is proposed to be designated Escarpment Natural and Escarpment Protection.

The property in Mono Township, (a), consists of approximately 70 acres and is not included in the area of development control. This submission requests removal of this property.

The property in Mulmur Township, (b), consists of approximately 92 acres and this submission requests its removal from the Proposed Plan.

This submission may be summarized as follows:

1. All reference to the Primrose-Mono Centre Geological Area be removed from the Plan.
2. My property in Mono Township and the surrounding areas which were never included or were taken from the development control area at the request of Mono Township in 1976 be permanently removed from the Plan.
3. My property in Mulmur Township be removed from the Plan. If the hearing officers cannot make this recommendation then I request they support a redesignation to Escarpment Rural Areas.
4. The system of development control be replaced by zoning by-laws to be administered by local township councils.

EXHIBITS:

541. Two Items:

- (a) Air photo showing property of James White, Part W 1/2 Lot 31, Concession 3 E.H.S., Township of Mono, County of Dufferin.
- (b) Air photo showing property of James White, Part E 1/2 Lot 2, Concession 1 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

Property A - If our recommendation in Submission 316 (Township of Mono) is accepted the portion of this property designated Escarpment Rural will be deleted from the Proposed Plan.

Property B - If our recommendation in Submission 250 (Township of Mulmur) is accepted the portion of the property designated Escarpment Protection will be changed to Escarpment Rural and remain in the Proposed Plan.

FILE NO. S 500-10

SUBMISSION NO. 712
(Written Only)

OWNER: Mrs. Leta Leeson

SUMMARY OF SUBMISSION:

This written submission was in total opposition to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

COUNTY OF SIMCOE

NIAGARA ESCARPMENT PROPOSED PLAN AREA

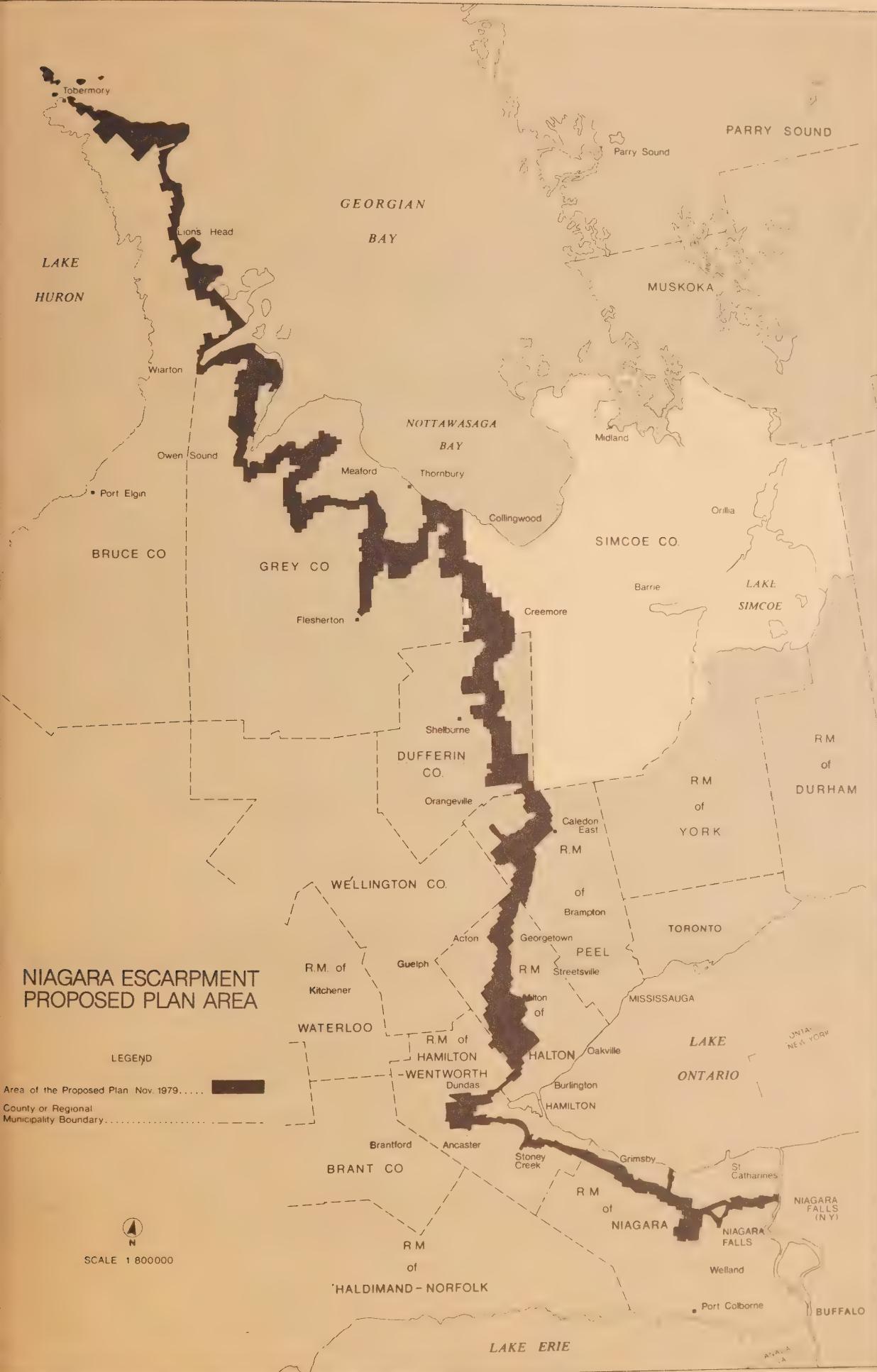
LEGEND

Area of the Proposed Plan Nov. 1979, ...

**County or Regional
Municipality Boundary**



SCALE 1 800000



PHASE II HEARING

THE
COUNTY OF SIMCOE



Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

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PHASE II

GENERAL STATEMENT

COUNTY OF SIMCOE

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Simcoe for which a hearing was held at Collingwood together with a portion of the supplementary hearing held in Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 474 to 488 inclusive and 713 to 729 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submission for this section: 475.

In the County of Simcoe we have recommended in Submission 475 that certain areas be removed from the Plan and certain designations be changed from those proposed.

Several submissions in this sector (Simcoe) are dependent on the recommendations that were made in Submission 475 being accepted otherwise our recommendations on several individual submissions might have been to remove certain properties or to change designations.

Submissions in this category include the following: 477, 478, 479, 483, 486, 713, 714, 715, 716, 717, 718, 719, 722, 723, 724, 725, 726, 728 and 729.

PHASE II
COUNTY OF SIMCOE

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 600-26

SUBMISSION NO. 474
(Written Only)

GROUP: County of Simcoe

SUMMARY OF SUBMISSION:

This letter of submission simply advised that the County of Simcoe had granted permission to the solicitor for the Township of Nottawasaga to make a presentation on behalf of the County if he deemed it necessary.

EXHIBIT:

364. A resolution passed by the Council of the County of Simcoe, dated November 17, 1981 and certified as a true and correct copy.

RECOMMENDATION:

None.

REASONS:

None necessary.

COUNSEL: Paul Shaw and Brian McLellan

GROUP: Township of Nottawasaga

SUMMARY OF SUBMISSION:

Ross Raymond, a planner, gave evidence during the course of this submission and advised that the Township of Nottawasaga has been under a Minister's zoning order since February, 1970.

This submission set out the following specific concerns with respect to the Proposed Plan:

1. Part 2, Land Use Policies -

Nottawasaga Township has considered the seven land use designations. While the objectives, designation criteria, land uses and practices that are suggested appear to be in keeping with appropriate planning practices, there are many areas in Nottawasaga Township in which the wrong designation is assigned.

2. Part 2, Section 2.3 and 2.4 -

It is recommended that two new lots may be severed for every 40 hectares (100 acres) in the Escarpment Protection Areas as opposed to only one per 40 hectares as proposed. It is further recommended that new lots may be created in Escarpment Rural Areas subject to stipulations as set out in the local official plan. This provision would appear reasonable in that low density rural plans of subdivision or condominium are permitted in this designation which will be required to conform to the local official plan.

3. Part 2, Section 2.9.1 -

The first three criteria appear to be acceptable. Criteria No. 4 however is unacceptable in that provision should be made for rebuilding existing uses in the same

Submission No. 475 continued

location or subject to consent by the landowners and subject to municipal requirements in a more appropriate position and of varying size and use.

4. Part 2, Section 2.9.4

Water Quality

Restrictions as set out in Clause 1 (b) with respect to proximity of sewage systems to high water marks of lakes, tops of stream banks or ravines and the edge of any wetland should be concerns of the local Health Department and regulated exclusively by those departments.

5. Part 2, Section 2.9.5

New Development Adjacent to Ravines

Paragraph 4 stipulates that no form of structure should be placed on slopes in excess of 25% per cent. This aspect should be provided for in local official plans (hazard lands) and as such may be effectively regulated by local Conservation Authorities, Ministry of Natural Resources and/or the Ministry of the Environment.

6. Part 2, Section 2.9.7

Agriculture

Paragraph 2 contemplates the establishment of farm related buildings including one farm residence on viable farm units. The determination of "viability" should be left to the individual farmer and not left to the determination "in consultation with the Ontario Ministry of Agriculture and Food". The Commission should recognize that much of the Township of Nottawasaga is dependent on agriculture and a bureaucratic procedure for even the simplest of "farm-related buildings" would have the eventual effect of dissuading agriculture within the area affected by the Proposed Plan.

7. Part 2, Section 2.10.1

Relationship to Local Official Plans and By-laws

Paragraph 3 should be amended to read: "Grants shall be made to municipalities towards the costs of preparing proposals ..." Amendments of official plans and zoning by-laws to recognize varying aspects of the Plan should be the Province's financial responsibility.

8. Part 3

Escarpment Parks and Acquisition Policies

As previously set out, Nottawasaga Township strongly opposes the use of acquisition by expropriation and supports the Commission's recommendations with respect to future acquisitions with Provincial funding.

9. Part 4, Section 4.1.7

Development Control - Notification of Decisions

This Township is strongly opposed to including on the notification list, the names of all persons requesting notification, thereby giving them the right to appeal. Distant persons (conceivably outside the Province) may appeal decisions or scores of members of the Bruce Trail Association for instance could consistently defeat or at least delay the development permit process. Notice of the decision (and the right to appeal) should be given only to the applicant, assessed owners of land within four hundred (400) feet of the subject property and the local municipality. If implementation of the Proposed Plan is made as recommended, through the new *Planning Act*, notification should as well go to the Ministry of Housing.

Exhibit 365 in these proceedings sets out the areas requested by the Township to be removed from the Plan although some of the lands shown in Part 3 of the Exhibit are requested to be changed to Escarpment Recreation.

The Township further requests that the following three mineral resource areas be designated in the southern part of the Township so

Submission No. 475 continued

that the southern parts of the Township's needs for sand, gravel and stone may be met locally rather than having to transport sand, gravel and stone into the area at an increased expense:

1. East half Lot 7, Concession 12
2. Lot 6, Concession 9
3. Part Lot 9 and 10, Concession 9

These are in areas requested by the Township of Nottawasaga to be removed from the Plan, but if these areas are not removed then the Township requests their redesignation as above.

EXHIBITS:

365. Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Township of Nottawasaga proposed for redesignation/removal from the Proposed Plan.
366. A series of 208 photographs mounted on 23 sheets, numbered as (a) through (w), taken in the Township of Nottawasaga and indicated on Exhibit 365.
367. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 1: Groundwater Infiltration Areas; and Criterion 2: Headwaters and Surface Streams.
368. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 3: Natural Areas; Criterion 5: Forested Areas; and Criterion 8: Geological Areas.

369. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 6: Landscape Areas (1) Outstanding, (2) Very Attractive and (3) Attractive; Criterion 7: Public Access.
370. Map 2341, Paleozoic Geology, Collingwood - Nottawasaga, Scale: 1:50000 Ontario Division of Mines. Additional markings on map by the Niagara Escarpment Commission indicating the approximate location of the brow of the Niagara Escarpment and the approximate location of the base of the Niagara Escarpment.

RECOMMENDATIONS:

1. None concerning the general part of this submission.
2. That the Plan be amended or left as shown on Exhibit 365 as follows:
 - 3 (1) All to be Escarpment Rural.
 - 3 (2) Remain as Escarpment Protection.
 - 3 (3) All to be Escarpment Recreation from Escarpment Rural and Escarpment Protection.
3. That Part 1 on Exhibit 365 be deleted from the Proposed Plan.
4. That Part 2 on Exhibit 365 be deleted from the Proposed Plan.
5. That Part 4 on Exhibit 365 be deleted from the Proposed Plan.
6. That Part 5 on Exhibit 365 be deleted from the Proposed Plan.
7. That Part 6 on Exhibit 365 be deleted from the Proposed Plan.
8. That Part 7 on Exhibit 365 be deleted from the Proposed Plan.
9. That Part 8 on Exhibit 365 remain in the Proposed Plan and the designation not be changed.

10. That Part 9 on Exhibit 365 be deleted from the Proposed Plan.

REASONS:

1. We have attempted to answer many of the problems in the general parts of this submission in our recommendations, comments and reasons in the general section of this report.
2. This area is across the road from Osler Bluffs and we are of the opinion that the evidence was such that the changes requested by the Township of Nottawasaga should be complied with.
3. These lands are west of the Escarpment slopes and although they do include branches of the Noisy and Mad Rivers their deletion will not adversely affect the Plan. (Indeed throughout there are many branches of rivers not included in the Proposed Plan.)
4. These lands are west of the Escarpment slopes above the brow and over a mile from the scarp. Their deletion will not adversely affect the Plan.
5. These lands are east of the toe of the Escarpment and the evidence of the Niagara Escarpment Commission was that the toe is not clearly defined in this area. Their deletion on the basis of the evidence adduced will not adversely affect the Plan.
6. These lands are well east of a predominate Escarpment ridge and although the Niagara Escarpment Commission's evidence was that they are an important groundwater infiltration area we are of the opinion that their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act.*

7. These lands are primarily above the brow of the Escarpment and the lands across the road in Mulmur Township are not included in the Proposed Plan or are recommended for deletion in Submission 250 and their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act*.
8. These lands are primarily above the brow of the Escarpment and the lands across the road in Mulmur Township are not included in the Proposed Plan or are recommended for deletion in Submission 250 and their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act*.
9. We are of the opinion that the evidence was such that the lands in this part are properly designated and should remain within the Proposed Plan.
10. These lands are in a relatively flat area and appear to be a logical increase in Part 7 and we are of the opinion that their deletion will not harm the objectives of the Plan or the *Niagara Escarpment Planning and Development Act*.

OWNER: J.G. Adam

LAND: Part Lot 1, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal specifically with the subject property but covered general aspects of the Proposed Plan as it affects the Township of Nottawasaga. The submission expressed the opinion that effective controls can be provided without the Proposed Plan. It also stated that the "Government" must "swiftly provide funds to acquire and establish these parks if they wish to carry out their mandate to preserve the Escarpment". The submission also suggested that the Plan be amended to return the area of the Proposed Plan to local control.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

OWNER: William Coutts

LAND: Part Lot 7, Concession 2
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 195 acres and is proposed to be designated Escarpment Natural and Escarpment Rural. Mr. Coutts stated that the subject lands are gently rolling and front on Highway 24 and lands to the north, south and west are not included in the Proposed Plan. This submission requested that the subject lands be removed from the Plan.

It should be pointed out that the witness for the Niagara Escarpment Commission stated that it was a "judgement call" to include these lands in the Plan and that they are included in the lands requested to be deleted by the Township of Nottawasaga (Submission 475).

EXHIBIT:

371. Air photo showing property of William Coutts, Part Lot 7, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

OWNER: Lynn Wilkinson

LAND: Lot 1, Concession 7
Lot 1, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises 200 acres and is proposed to be designated mainly Escarpment Protection with a small portion as Escarpment Natural and the balance being about one quarter of the total property, as Escarpment Rural. This submission made the following recommendations and comments:

1. That the subject lands be removed from the Plan.
2. That recreation not be increased or encouraged in agricultural areas.
3. That the Proposed Plan is unnecessary.
4. That the Ontario economy is unable to finance a plan of this magnitude.

Witnesses for the Niagara Escarpment Commission pointed out that this land is in one of the areas requested to be removed from the Proposed Plan by the Township of Nottawasaga (Submission 475).

EXHIBIT:

372. Air photo showing property of Lynn Wilkinson,
East 1/2 Lot 1, Concession 8, and West 1/2
Lot 1, Concession 7, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The general portion of this submission has been dealt with elsewhere in this report and the subject lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

OWNER: Hubert B. Sceats

LAND: Part Lots 38 and 39, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 294 acres of which approximately 144 acres are included in the Proposed Plan and proposed to be designated Escarpment Rural. Mr. Sceats requested that these lands be removed from the Plan. The lands are in the area that the Township of Nottawasaga requested be amended to be designated Escarpment Recreation.

EXHIBIT:

373. Air photo showing property of Hubert B. Sceats, Part Lots 38 and 39, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The subject property has been dealt with in Submission 475 (Township of Nottawasaga) and if that recommendation is accepted then the subject property will be designated Escarpment Rural and Escarpment Recreation and remain in the Proposed Plan.

OWNER: Glen Best

LAND: East 1/2 Lot 14, Concession 10
West 1/2 of East 1/2 Lot 13, Concession 10
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 140 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. This submission expressed the opinion that the Proposed Plan is sound but is concerned with the "added bureaucracy". Mr. Best requested that the 50 acres in Lot 13 be changed to Escarpment Rural. This 50 acres is essentially rolling farmland.

EXHIBIT:

374. Air photo showing property of Glen Best, East 1/2 Lot 14, Concession 10 and West 1/2 of East 1/2 Lot 13, Concession 10, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We believe on the basis of the evidence adduced that this property is properly designated and should remain in the Proposed Plan.

OWNER: Mrs. V. Bookman

LAND: Part Lot 5, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is approximately 6 1/2 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. This submission did not deal specifically with the subject property but expressed the opinion that the Niagara Escarpment Commission should be disbanded and that the area covered by the Proposed Plan be returned to local controls. This opinion was reinforced by a statement signed by the President of the Ruskview Women's Institute.

EXHIBIT:

375. Air photo showing property of Mrs. Vi Bookman, Part East 1/2 Lot 5, Concession 9, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

AGENT: Robert Burrow

GROUP: Noisy River Fishing Club

LAND: Part Lot 6, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal with any specific property but stated that the club was concerned about lands recommended for public acquisition in the area. Mr. Burrow stated that the club has effective control of the Noisy River in this area by arrangement with private landowners. The club requested that it be allowed to have input before any acquisitions in the area be proceeded with to determine the effects on the area of the Noisy River controlled by the club.

RECOMMENDATION:

None.

REASONS:

Beyond our jurisdiction.

OWNER: Sam S. Sharpe

LAND: Part Lot 14, Concession 7
Part Lot 7, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal with the designations proposed for the subject property but recommended that the Niagara Escarpment Commission proposals be rejected and the Niagara Escarpment Commission dissolved.

EXHIBIT:

376. Air photo showing property of Sam S. Sharpe,
Part Lot 14, Concession 7, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This property has been recommended for deletion in Submission 475 (Township of Nottawasaga).

AGENT: John Poste

GROUP: Blue Mountains Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Kurt E. Vogel

LAND: Part Lot 19, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property consists of some 30 acres situated on Highway 24 opposite the Devil's Glen Country Club. It is proposed to be designated Escarpment Protection. Mr. Vogel requested that the designation be changed to Escarpment Recreation or the property removed from the Proposed Plan since it is his intention to develop it.

EXHIBIT:

377. Air photo showing property of Kurt E. Vogel,
North 1/2 Lot 20, Concession 9, and Part West
1/2 Lot 19, Concession 9, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report. We believe that this property is properly designated and should remain in the Proposed Plan.

COUNSEL: Paul Shaw

OWNER: Dr. and Mrs. R. Heimbecker

LAND: Part Lot 38, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is approximately 93 acres of which 43 are proposed to be designated Escarpment Rural and the remaining 50 acres are not included in the Proposed Plan. These lands are in the area that the Township of Nottawasaga requested be changed to Escarpment Recreation. The lands are located almost across from Osler Bluffs Ski Resort and this submission requests the portion included in the Proposed Plan be changed to Escarpment Recreation.

EXHIBIT:

378. Air photo showing property of Dr. and Mrs. R. Heimbecker, Part Lot 38, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The subject property has been dealt with in Submission 475 (Township of Nottawasaga) and if that recommendation is accepted then the subject property will be designated Escarpment Rural and Escarpment Recreation.

AGENT: Garth Cubitt, President

GROUP: Simcoe County Federation of Agriculture

SUMMARY OF SUBMISSION:

This submission was general in nature and made the following comments:

1. Farming should not be over-regulated.
2. Concerned that farming will become a non-conforming use.
3. Not enough safeguards in the Proposed Plan to protect farm property from unauthorized recreational use.
4. Implementation should be by a local body.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

AGENT: Donald May

OWNER: Devil's Glen Ski Club

LAND: Lot 18, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission was in support of the Escarpment Recreation designation proposed for this property and supported the dual role of the local municipality and the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

COUNSEL: Brian McLellan

OWNER: Curtis Royal

LAND: Part Lot 1, Concession 6
Part Lot 2, Concession 5
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise some 125 acres with the lands in Concession 6 proposed to be designated Escarpment Rural and those in Concession 5 Escarpment Protection. The land is gently rolling and according to Mr. Royal he can see no difference between the lands in Concession 6 with those in Concession 5. The request is that the lands be removed from the Proposed Plan.

EXHIBIT:

542. Air photo showing property of Curtis Royal, Part Lot 1, Concession 6, and Part Lot 2, Concession 5, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: Brian McLellan

OWNER: Clifford Flack

LAND: Part South 1/2 Lot 5, Concession 6

West 1/2 Lot 4, Concession 5

Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise some 194 acres and are proposed to be designated Escarpment Protection with a small portion of the lands in Concession 5 proposed for Escarpment Natural. Mr. Flack stated that the land to the south is proposed to be designated Escarpment Rural and that he could see no difference. In any event, the request is that the subject properties be removed from the Proposed Plan.

EXHIBIT:

543. Air photo showing property of Clifford Flack,
Part S 1/2 Lot 5, Concession 6, and West 1/4
Lot 4, Concession 5, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: Brian McLellan

OWNER: Glen Millsap and Paul Millsap

LAND: East 1/2 Lots 2, 3 and 4, Concession 6

East 1/2 Lot 6, Concession 6

Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise some 600 acres and are proposed to be designated Escarpment Rural. This submission simply stated that the Millsaps have looked after the lands and requested that the subject properties be removed from the Proposed Plan.

EXHIBIT:

544. Air photo showing properties of Glen and Paul Millsap, East 1/2 Lot 2, 3 and 4 and East 1/2 Lot 6, Concession 6, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: Brian McLellan

OWNER: Ronald Coulter

LAND: West 1/2 Lot 2, Concession 6
East 1/2 Lot 1 and 2, Concession 7
West 1/2 Lot 1, Concession 8
Lot 2, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 668 acres and is proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural. The bulk of the subject lands are relatively flat and actively farmed. Mr. Coulter requested removal of these lands from the area of development control and the Proposed Plan. The subject lands are included in one of the areas requested to be deleted by the Township of Nottawasaga.

EXHIBIT:

545. Air photo showing properties of Ronald Coulter,
West 1/2 Lot 2, Concession 6, East 1/2 Lot 1,
Concession 7, Township of Nottawasaga, County
of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-40

SUBMISSION NO. 717

COUNSEL: Brian McLellan

OWNER: Robert Giffen

LAND: Part Lot 15 and 16, Concession 8
Part Lot 16, Concession 7
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is a fairly large holding of which some 145 acres are included in the Proposed Plan and proposed to be designated Escarpment Rural with a small portion Escarpment Natural. This is a good operating farm and Mr. Giffen pointed out that in his opinion there is no difference between the parts of his holdings included in the Proposed Plan with those not in the Plan. It is requested that the subject lands be deleted from the Proposed Plan.

EXHIBIT:

546. Air photo showing property of Robert Giffen, Part Lots 15 and 16, Concession 7, and Part West 1/2 Lot 16, Concession 7, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: Brian McLellan

OWNER: Elwood Culham

LAND: Lot 14, Concession 11
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises 200 acres and is proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural and is an active operating farm. The land is mainly rolling in nature and Mr. Culham pointed out that the lands across the road are not included in the Proposed Plan. It is requested that the subject lands be removed from the Plan.

EXHIBIT:

547. Air photo showing property of Elwood Culham,
Lot 14, Concession 11, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The portion of the subject lands designated Escarpment Rural have been recommended for deletion in Submission 475 (Township of Nottawasaga) and the balance of the lands in our opinion are properly designated and should remain in the Proposed Plan.

COUNSEL: Brian McLellan

OWNER: James Shields

LAND: Part Lot 18, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property consists of some 80 acres with the easterly 50 acres proposed to be designated Escarpment Rural and the balance Escarpment Protection, and is being actively farmed. In Mr. Shields' opinion these lands contain better soil than the lands across the road which are not included in the Plan. It is requested that these lands be removed from the Proposed Plan.

EXHIBIT:

548. Air photo showing property of James Shields,
S 1/2 Lot 18, Concession 9, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The portion of the subject lands designated Escarpment Rural have been recommended for deletion in Submission 475 (Township of Nottawasaga) and the balance of the land in our opinion is properly designated and should remain in the Proposed Plan.

COUNSEL: Brian McLellan

OWNER: Brink Arnold

LAND: South 1/2 Lot 11, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

These lands contain 100 acres that are proposed to be designated Escarpment Natural and Escarpment Protection. The lands are actively farmed and Mr. Arnold requested that the subject property be removed from the Proposed Plan.

EXHIBIT:

549. Air photo showing property of Brink Arnold,
S 1/2 Lot 11, Concession 9, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that these lands are properly designated and on the evidence should remain in the Proposed Plan.

COUNSEL: Brian McLellan

OWNER: Charles McLeod

LAND: North 1/2 Lot 11, Concessions 9 and 10
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The property comprises some 198 acres and is included in the Proposed Plan with proposed designations of Escarpment Natural and Escarpment Protection and is an operating farm. Mr. McLeod offered the opinion that lands to the west contain scarp bluffs but are not included in the Plan. Mr. McLeod requested that the subject lands be deleted from the Proposed Plan.

EXHIBIT:

550. Air photo showing property of Charles McLeod,
N 1/2 Lot 11, Concessions 9 and 10, Township
of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that these lands are properly designated and on the evidence should remain in the Proposed Plan.

COUNSEL: Brian McLellan

OWNER: Donald A. McLeod

LAND: Part Lot 11, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises 150 acres and is proposed to be designated Escarpment Rural. It consists mainly of rolling land that is actively farmed with a small stream that is dry in the summer. Mr. McLeod requested that the subject lands be removed from the Proposed Plan.

EXHIBIT:

551. Air photo showing property of Donald McLeod,
Part Lot 11, Concession 8, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: George Shepherd

OWNER: Darrel Taylor

LAND: West 1/2 Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises approximately 100 acres and is proposed to be designated mainly Escarpment Rural with a small portion Escarpment Natural. This land is requested to be removed from the Proposed Plan for the following reasons:

1. There are no Escarpment features on the property.
2. The lands to the east and south are farmed and are not considered as ecologically sensitive areas or having prominent Escarpment features. There is therefore no need to consider this property as being a buffer for an ecologically sensitive area or as a frame for the Escarpment scene.
3. The lands to the north and west are outside the planning area and there is no reason to include the Taylor farm lands within the planning area when these lands are out of it.

This submission also expressed disagreement with Section 2.9 because of the opinion that it will adversely affect agriculture.

EXHIBIT:

522. Air photo showing property of Darrel Taylor, W 1/2 Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: George Shepherd

OWNER: David Ruttan

LAND: Lot 2 and Part Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise 250 acres and are proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural and are part of an active farm operation.

It is requested that these lands be removed from the Proposed Plan for the following reasons:

1. There are no Escarpment features and associated stream valleys, wetlands or forests which are relatively undisturbed on their farm. The existence of these features is the test for including lands in the Escarpment Natural Area. Please note under Section 2.2 at page 19, under the heading "Criteria for Designation", paragraph 4 that it is only the "most significant stream valleys and wetlands associated with the Escarpment" that are to be considered as included in the Escarpment Natural Area. There are no wetlands on the Ruttan farm and the creek which flows through it can by no stretch of the imagination be considered as "one of the most significant stream valleys".
2. The Ruttan farm is located on the westerly boundary of the Niagara Escarpment Planning Area. The lands across the road to the west of the farm are outside the area and they submit that their lands can just as easily be removed from the Plan also.

3. A working farm should be under municipal by-law land use zoning system where the zoning policies are oriented socially, economically and physically toward the agricultural industry and the needs of the rural community. The Ruttans do not want a farm with three different land use zones on it. It makes no sense to them to be zoned this way when the whole of their farm is used in the farm operation.
4. The Ruttans wish to be outside the planning area and escape from the development control concept of land use planning because it is too uncertain and expensive to comply with for the average citizen. The Proposed Plan is lacking in adequate farm land use policies and what proposals there are, such as contained in Section 2.9.1, sub-paragraph 2, 3 and 4 and in Section 2.9.2, sub-paragraph 1 and 2 and Section 2.9.7, are too restrictive, vague and almost meaningless so far as a farmer is concerned.

EXHIBIT:

553. Air photo showing property of David Ruttan, Lot 2 and Part Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

COUNSEL: George Shepherd

OWNER: Harold Scott

LAND: Part Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property consists of 50 acres of farmland and is proposed to be designated Escarpment Protection and Escarpment Rural.

It is requested that these lands be removed from the Plan since they are on the westerly boundary of the Proposed Plan and also since the lands across the County Road 9 are outside the Plan. There are no Escarpment features on this property which justify them being included in either the Escarpment Protection or Escarpment Rural Areas.

EXHIBIT:

554. Air photo showing property of Harold Scott,
Part Lot 3, Concession 12, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

OWNER: George Shepherd and Ralph Shepherd

LAND: Part Lot 7, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This parcel contains about five acres that are proposed to be designated Escarpment Natural and Escarpment Rural.

This submission requested that the subject lands be removed from the Proposed Plan since there are no Escarpment features on the property and lands directly to the south and north are not included in the Plan.

EXHIBIT:

555. Air photo showing property of George Shepherd,
Part Lot 7, Concession 12, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

OWNER: Clifford Weston

LAND: Part North 1/2 Lot 6, Concession 4
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This farm property consists of 100 acres that are proposed to be designated Escarpment Natural and Escarpment Protection. The Westons contend that the subject lands are four miles from the Escarpment. This submission requests that the lands be removed from the Proposed Plan.

EXHIBIT:

556. Air photo showing property of Clifford Weston,
Part N 1/2 Lot 6, Concession 4, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We believe this property is properly designated and should remain within the Proposed Plan.

COUNSEL: Alexander E. Besse

OWNER: Carmarthen Lake Farms Limited

LAND: South 1/2 Lot 21, Concession 11
Lots 19 - 23, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

Of the total holdings of this company there are some 1,066 acres in the Township of Nottawasaga included in the Proposed Plan. They are proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural.

This submission expressed no concern with Escarpment Natural and Escarpment Protection designations but was concerned with the approximately 800 acres being actively farmed and proposed to be designated Escarpment Rural.

While this submission supported the criteria for the Escarpment Rural designation it is felt that such criteria did not apply to this property and further that the land across the road to the west is not in the Proposed Plan. The company's counsel stated the opinion that the property was "out of sight" of the scarp. The submission requested that all of the lands west of the Escarpment Natural designation portion be removed from the Proposed Plan.

EXHIBIT:

557. Air photo showing property of Carmarthen Lake Farms Ltd., Lots 19-23, Concession 12, and S 1/2 Lot 21, Concession 11, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The majority of these lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-50

SUBMISSION NO. 729
(Written Only)

OWNER: William Latimer

LAND: Part West 1/2 Lot 6, Concession 6
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This written submission simply requested that the designation be changed to allow Mr. Latimer's son to build a home on an adjoining separate lot.

EXHIBIT:

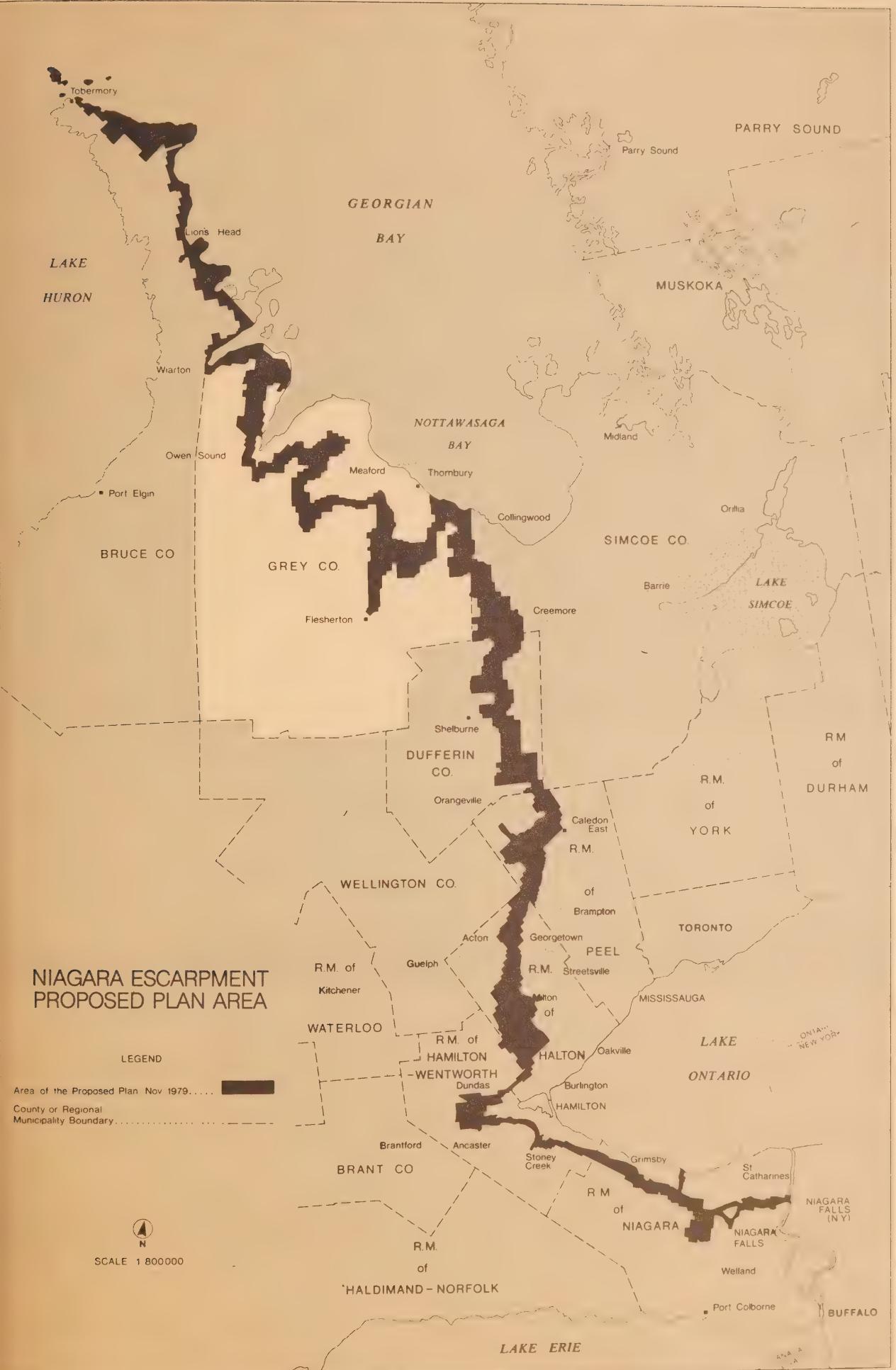
558. Air photo showing property of William Latimer,
Part W 1/2 Lot 6, Concession 6, Township of
Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This property has been recommended for deletion in Submission 475 (Township of Nottawasaga).



PHASE II HEARING

THE
COUNTY OF GREY



Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrvies, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

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Jones, Thomas N.	700-65	420	1256
Keppel, Township of	700-87	406	1241
King, Albert	700-112	468	1315
Kleefeld, Hans	S 700-119	733	1330
Kramer, Charlie	700-104	473	1321
Landherr, Mrs. Carrie	700-54	432	1269
Landherr, Roy	700-53	431	1268
Lesich Construction Company	700-47	409	1245
Leverty, Robert and Michael	700-95	739	1336
Lobban, Mrs. Joan	700-28	456	1297
Moos, Alfred	700-97	442	1282
Moos, Bernd	700-1	443	1283
McConnell, Herman	S 700-120	734	1331
McKay, Bruce N.	700-9	418	1254
McKessock, Robert	700-17	440	1280
McQueen, D.	700-108	470	1317
Ontario Trail Riders Association	700-86	469	1316
Owen Sound, City of	700-82	408	1244
Peterson, Mrs. Melva	S 700-83	693	1324
Porter, Mr. and Mrs. Robert and Porter, Robert Jr.	700-7	419	1255

<u>Name</u>	<u>File Number</u>	<u>Submission Number</u>	<u>Page Number</u>
Potter, Mrs. Irene	700-62	430	1267
Prange, Meryl	700-92	412	1248
Quinton, Mrs. Margaret	700-14	427	1264
Reid, Barry W.	700-76	435	1273
Reid, Robert W.	700-75	436	1274
Reid, Walter	700-77	434	1272
Rennie, R. Alonzo	700-11	429	1266
Rowland, D. J.	700-3	410	1246
St. Vincent, Township of	700-106	472	1320
Saugeen Field Naturalists	S 700-91	684	1322
Sceats, Thomas	700-107	415	1251
Scott, Walter	700-66	466	1307
Seabrook, Norman E.	700-13	421	1257
Simpson, Bruce P.	700-73	461	1302
Stephens, William	700-101	446	1286
Stone, Dr. Allan	700-74	444	1284
Sundance of Blantyre Limited	700-27	452	1292
Sutherland, Harold	700-24	458	1299
Sydenham Federation of Agriculture	700-16	433	1270
Taylor, Kenneth B.	700-42	441	1281
Teakles, Mrs. Dorothy	S 700-121	735	1332
Thompson, James, Allen and Freda	700-55	460	1301
Thompson, Robert C.	700-15	417	1253
Thompson, Sharon and Timothy	S 700-124	738	1335

<u>Name</u>	<u>File Number</u>	<u>Submission Number</u>	<u>Page Number</u>
Thompson, Lloyd	S 700-126	741	1339
Torrie, Alex	700-35	455	1296
Vance, Harvey	700-67	439	1279
Weinberg, Gerald	S 700-123	737	1334
Weile, Robert	S 700-122	736	1333
Wrigley, Harold	700-56	411	1247

PHASE II

GENERAL STATEMENT

COUNTY OF GREY

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Grey for which a hearing was held at Owen Sound together with a portion of the supplementary hearing held in Wiarton and Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 405 to 473 inclusive, 684, 692 to 695 inclusive, and 730 to 743 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 405, 406, 407, 413, 414, 430, 438, 446, 467 and

472.

In the County of Grey we have recommended in Submissions 406 and 472 that certain areas be deleted from the Plan.

Two submissions in this sector (Grey) are dependent on the recommendations made in Submission 406 and 472, otherwise our recommendation on these two submissions might have been to delete the subject properties from the Plan. These two submissions are 426 and 449.

PHASE II

COUNTY OF GREY

SUMMARY

OF

SUBMISSIONS, RECOMMENDATIONS AND REASONS

AGENT: Ross Arthur, Planning Director

GROUP: County of Grey

SUMMARY OF SUBMISSION:

The County of Grey in its submission made the following comments and recommendations:

- A. The area affected by the Proposed Plan can realistically be identified and perceived as being related to the Niagara Escarpment features.
- B. The designations and policies of the Proposed Plan recognize varying environments along the length of the Escarpment.
- C. The principle of providing flexibility in the Proposed Plan to accommodate local municipal circumstances and aspirations through the incorporation of appropriate planning policies in local official plans.
- D. The implementation of the Proposed Plan by a development control system administered at the County level of government.

In addition to the above the County of Grey submits that the Proposed Plan does not appropriately recognize the need and considerable potential for tourism and recreational development in the Beaver Valley.

In this regard this submission continued as part of the supplementary hearings to deal specifically with the Beaver Valley Area as a result of a Secondary Plan Study undertaken by the Beaver Valley Planning Board and the Townships of Euphrasia and Artemesia.

The County of Grey then requested that consideration be given to several matters which are as follows:

1. That the areas identified as "Proposed Escarpment Recreation Areas" on the submitted exhibit be designated Escarpment Recreation Areas in order that desirable forms of development may occur subject to local official plan requirements. It is considered that these areas possess substantial potential for properly planned resort, recreational, residential development which could occur consistent with the purpose and objectives of the *Niagara Escarpment Planning and Development Act*. Any development would occur in accordance with the policies of the Escarpment Recreation Areas designation of the Proposed Plan and the local secondary plan policies. The latter which will provide detailed policies affecting such development and will require participation by the public, review by the Niagara Escarpment Commission and other affected ministries or agencies and approved by the Minister.
2. That the "Proposed Minor Urban Areas" boundaries shown on the submitted exhibit be accepted as being in compliance with the Proposed Plan for the purpose of considering future land use and development within the context of an approved detailed local official plan.
3. That an exception be made to the Escarpment Natural Area designation to permit downhill ski development between the resort centres of the Beaver Valley Ski Club and Talisman/Old Smokey as identified on the submitted exhibit shown as "Potential Ski Area".

NOTE: The "submitted exhibit" referred to in this submission was not entered as an exhibit but formed part of the written submission and is filed with that submission.

EXHIBITS:

559. Certified true copy of Resolution No. 7, dated May 25, 1982, Beaver Valley Planning Board, re: the firm of Ecological Services for Planning to represent this Board at the Niagara Escarpment Proposed Plan Hearing.
560. Certified true copy of a Resolution dated June 5, 1982, Township of Artemesia, accepting the proposed Secondary Plan of the Beaver Valley study and that Ross Arthur be appointed to present same at the Niagara Escarpment Proposed Plan Hearing.
561. Certified true copy of a Resolution dated June 3, 1982, Township of Euphrasia, approving in principal the results of the Technical Report and authorizes Ross Arthur to make such a presentation at the Niagara Escarpment Proposed Plan Hearing.

RECOMMENDATIONS:

1. That the areas recommended for change by the County of Grey and as shown on the map provided by the County of Grey forming part of its submission be accepted and the Proposed Plan be amended accordingly. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)
2. None.
3. None.

REASONS:

1. The County of Grey and the Beaver Valley Planning Board prepared a comprehensive environmentally based study which forms the basis of a secondary

plan for the Beaver Valley Area. This report provided far more detail for its conclusions than the Niagara Escarpment Commission did in establishing its conclusions for this area of the Niagara Escarpment Proposed Plan. The evidence in this regard convinced us to recommend the requests of the County of Grey.

2. The explanation provided by the Niagara Escarpment Commission witness satisfied the County of Grey planner that this request is adequately provided for in the Proposed Plan.
3. The majority of this land is publicly owned and the Proposed Plan provides that downhill skiing can be implemented without an amendment to the Plan.

AGENT: Richard Hughes, Deputy Planning Director
County of Grey

GROUP: Township of Keppel

SUMMARY OF SUBMISSION:

1. The Township of Keppel is concerned about what it calls "the negative financial impact" which could be the result if all the lands suggested for public acquisition are acquired without changes in the present grant-in-lieu of taxes system.
2. In connection with the designation of a "Secondary Scarp" on Lots 39 to 45, Colpoys Range and Lots 1 to 22, Georgian Range, the Township of Keppel requests that the Escarpment Natural Area designation on the above lands, which represents a secondary scarp, be removed. In addition, the Township requests that the corresponding Escarpment Protection Area designation be removed from those lands to the north and east of the existing Township road.

EXHIBIT:

276. Niagara Escarpment Commission Proposed Plan Map 7, County of Grey, with additional markings by Richard Hughes, Deputy Planning Director, County of Grey, showing land requested for deletion and designation change.

RECOMMENDATIONS:

1. None.
2. That the Proposed Plan be amended to delete these lands as shown on Exhibit 276.

REASONS:

1. The matter of grant-in-lieu of taxes in our opinion is beyond our jurisdiction.
2. We accept the evidence of the Township of Keppel that these lands are not necessary to comply with the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

AGENT: Richard Hughes, Deputy Planning Director
County of Grey

GROUP: Township of Derby

SUMMARY OF SUBMISSION:

The Township of Derby requests that the Escarpment Protection Area and Escarpment Rural Area designations on that portion of Lots 13 and 14, Concession 2, Township of Derby to the east of the Escarpment Natural Area designation be removed and replaced by an Urban Centre designation.

EXHIBIT:

277. Air photo of a portion of Derby Township, County of Grey, showing lands requested by the Township of Derby for change in designation.

RECOMMENDATION:

That the request of the Township of Derby to change the designation of the subject lands to Urban Centre be accepted and the Proposed Plan be so modified.

REASONS:

The existing development pattern convinces us that this area is urban in nature as confirmed by Exhibit 277.

GROUP: City of Owen Sound

SUMMARY OF SUBMISSION:

This written submission made the following recommendations:

1. That City Council not oppose the designations of the Niagara Escarpment Plan as it relates to the City of Owen Sound.
2. That City Council support the recommendation of the Proposed Plan for the Niagara Escarpment that the planning area boundaries coincide with the boundaries of the Plan.
3. That City Council recommend that a Provincial Government agency exercise control over those areas designated Escarpment Natural to ensure consistency of interpretation of the Plan and the awareness by the body which will update the Plan of problems associated with its administration.
4. That the approval by the Ministry of Housing of an official plan or amendment thereto shall be deemed to constitute an amendment to the Niagara Escarpment Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

OWNER: Lesich Construction Company Limited

LAND: Lots 25 and 26
Township of Sydenham

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the length of time it has taken to process a plan of subdivision on the above lands and still not have a registered plan in place.

The request of this submission is that the subject lands be removed from the control of the Niagara Escarpment Commission.

EXHIBIT:

278. Air photo showing property of Joseph Lesich,
Lots 25 and 26, Concession 1 N.C.R., and Lots
41 and 42, Concession C, Sydenham Township,
County of Grey.

RECOMMENDATION:

None.

REASONS:

We are of the opinion this property is properly designated and should remain within the Proposed Plan.

OWNER: D.J. Rowland

LAND: North 1/2 Lot 8, Concession 2
Collingwood Township

SUMMARY OF SUBMISSION:

This submission was in general opposition to the Proposed Plan. Mr. Rowland's property is located next to the property owned by the Nottawasaga Conservation Authority which Mr. Rowland said is neglected.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Harold Wrigley

LAND: Lot 32, Concession 24
Township of Keppel

SUMMARY OF SUBMISSION:

The subject property consists of 100 acres which is being used as pasture land and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan. It is also in an area proposed for acquisition.

Mr. Wrigley says he wishes to retain ownership of his land and requests removal from the Proposed Plan.

EXHIBIT:

279. Air photo showing property of Harold Wrigley, Lot 32, Concession 24, Keppel Township, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion the site is properly designated and should remain in the Proposed Plan.

The matter of land acquisitions has been dealt with elsewhere in this report.

OWNER: Meryl Prange

LAND: Part Lot 41, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

At the hearing Mr. Prange stated that he agreed with the proposed designation of Escarpment Protection suggested for his property but also stated that a more restrictive designation should be placed on neighbouring property.

RECOMMENDATION:

None.

REASONS:

This property is included in the area recommended for deletion in Submission 406 (Township of Keppel).

OWNER: William and Ruby Deakins

LAND: Lot 21, Concession 20
Township of Keppe1

SUMMARY OF SUBMISSION:

The subject land is not included in the Proposed Plan as indicated by Exhibit 272 being an errata sheet as filed by the Niagara Escarpment Commission. The Deakins appeared for clarification purposes only.

RECOMMENDATION:

That the subject lands be deleted from the Proposed Plan.

REASONS:

The Niagara Escarpment Commission advised the hearing that these lands had been included in the Proposed Plan in error.

OWNER: George Hamilton

LAND: Lot 21, Concession 21 and 22
Lot 20, Concession 22
Township of Keppel

SUMMARY OF SUBMISSION:

The subject lands were included in the Proposed Plan in error and by Exhibit 272, being an errata sheet, the Niagara Escarpment Commission indicated the error. This written submission agrees that the lands should not be included in the Proposed Plan.

RECOMMENDATION:

The subject lands be deleted from the Proposed Plan.

REASONS:

The subject lands were included in error in the Proposed Plan.

OWNER: Thomas Sceats

LAND: Part Lot 12, Concession 1
Township of Collingwood

SUMMARY OF SUBMISSION:

By Exhibit 272 the Niagara Escarpment Commission advised that the subject lands were designated Escarpment Recreation in the Proposed Plan and should have been designated Escarpment Protection.

Mr. Sceats appeared and requested that the proposed designation remain as Escarpment Recreation.

RECOMMENDATION:

None.

REASONS:

This is such an insignificant piece of land that it would hardly warrant the change in designation and in any event it follows the road deviation.

OWNER: Murray Fox

LAND: Part Lots 12, 13 and 14, Colpoys Range
Part Lot 12, Concession 25
Township of Keppel

SUMMARY OF SUBMISSION:

This submission deals with 272 acres of land designated Escarpment Natural, Escarpment Protection and Escarpment Recreation as can be seen from Exhibit 280. The area to the west of this property was taken out of the Proposed Plan in its most recent form and the above owner takes great exception to it. A request is made to be taken out of the Proposed Plan or the acquisition of the subject land by a public authority.

EXHIBIT:

280. Air photo showing property of Murray Fox, Part Lots 12, 13 and 14, Colpoys Range; Part Lot 12, Concession 25, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

We believe this land is properly designated and should remain in the Proposed Plan even though Lots 9, 10 and 11 which are adjacent are not included in the Plan but should have been according to the evidence adduced by the Niagara Escarpment Commission at the hearing.

OWNER: Robert C. Thompson

LAND: Part Lot 9, Concession 4
Township of Collingwood

SUMMARY OF SUBMISSION:

The submission is made regarding approximately 176 acres of land in the above ownership designated as Escarpment Protection in the Proposed Plan. It is requested that these lands be re-designated Escarpment Recreation so that plans for development not permitted by the Escarpment Protection designation may proceed. The Escarpment it alleges is three to four miles to the east of this property which has not been farmed for over 75 years and is incapable of being used for this endeavour. There is a registered plan of subdivision for 90 to 100 building lots half built on immediately north and east of this owner's land. He has been granted several severances on the subject property.

EXHIBIT:

281. Air photo showing property of Robert C. Thompson,
Part Lot 9, Concession 4, Township of Collingwood,
County of Grey.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the subject lands are poorly designated. If our recommendation concerning estate residential development in the Escarpment Protection designation is accepted then application may be made for such development.

OWNER: Bruce N. McKay

LAND: Lot 77, Concession 3
 Township of Derby

SUMMARY OF SUBMISSION:

This owner of the above lot makes the request that his property be removed from the development control area at once. It is located in the area locally referred to as the "Sunset Strip". The North Grey Secondary Plan designates the land as space extensive commercial according to the brief and the owner doesn't like that designation but at any rate we are not dealing with that document. According to the brief a development permit has been refused based on the problems of deficiencies in the water supply and sewage treatment facilities in this area. Exception is also taken to permits granted to others in the area.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

OWNER: Mr. and Mrs. Robert Porter and
Robert Porter Jr.

LAND: Part Lots 23, 24 and 25, Concession 26
Lot 26, Concession 26
Part Lots 31 and 32, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

The subject lands are some 467 acres and are being actively farmed. They are shown in the Proposed Plan designated as Escarpment Rural, Escarpment Protection and Escarpment Natural. The owners are not in support of the Proposed Plan and want all their lands removed from it. This submission also objects to a portion of the lands being shown for acquisition.

EXHIBIT:

282. Air photo showing property of Mr. and Mrs. Robert Porter and Robert Porter Jr., Part Lots 23, 24 and 25, Concession 26; Lot 26, Concession 26; and Part Lots 31 and 32, Concession 26, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan and the matter of acquisition of lands is dealt with elsewhere in this report.

OWNER: Thomas N. Jones

LAND: Part Lot 37 and 38, Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

This owner is concerned as to whether he can have a single family dwelling erected on each half of the two five acre lots (37 and 38) sometime in the future. Failing this assurance, he would request that his land be removed from development control and all future control of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan.

OWNER: Norman E. Seabrook

LAND: Part Lot 2, Concession 12
Part Lot 3, Concession 12 E.G.R.
Township of Holland

SUMMARY OF SUBMISSION:

The owner of the above described lands, two parcels, totalling some 49 acres and designated as Escarpment Protection, Escarpment Rural and Escarpment Natural, wants these lands removed from the Proposed Plan. He is opposed to the *Niagara Escarpment Planning and Development Act*, the activities to date of the Niagara Escarpment Commission in preparing the Proposed Plan and the contents of said Plan. The owner made reference to a two acre lot, part of the above and stated that he is not able to sell it attributing the cause to its inclusion in the Proposed Plan. In referring to the other large parcel, Lot 3 designated Escarpment Rural with a small portion Escarpment Natural he said that no rock cliff was present or apparent on these lands. The planning process should revert back to local control.

EXHIBIT:

283. Air photo showing property of Norman S. Seabrook,
Part Lot 3, Concession 12 E.G.R., Township of
Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

Submission No. 421 continued

This submission also indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Lloyd Ball

LAND: Part Lots 28, 29 and 30, Concession 25
Part Lot 29, Concession 23
Township of Keppel

SUMMARY OF SUBMISSION:

This submission requests that such of the lands as indicated above that are within the Proposed Plan be removed to facilitate a possible sale. These lands are designated Escarpment Natural and Escarpment Protection in the Proposed Plan. The part of Lot 28 above referred to is not in the Plan.

EXHIBIT:

284. Air photo showing property of Lloyd Ball, Part Lots 28, 29 and 30, Concession 25; and Part Lot 29, Concession 23, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion the lands have been properly designated and should remain within the Proposed Plan.

FILE NO. 700-8

SUBMISSION NO. 423
(Written Only)

OWNER: Mr. and Mrs. R. Coward

LAND: South Part of Lot 2, Concession 11
Township of Holland

SUMMARY OF SUBMISSION:

The submission requests that the above property be deleted from the Proposed Plan. It also expresses the opinion that the Holland Township planning controls are sufficient to protect the Escarpment.

EXHIBIT:

285. Air photo showing property of Mr. and Mrs. R. Coward,
South Part Lot 2, Concession 11 E.G.R., Township
of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

These lands have been properly designated and should remain within the Proposed Plan.

OWNER: Fred Barnes

LAND: Part Lot 5, Concession 4
Part Lot 4, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission deals with 75 acres of land in the Beaver Valley designated Escarpment Natural, Escarpment Protection and proposed acquisition area. The owner agrees that there is need for certain controls but feels that more extensive development than is now contemplated can be accommodated in the Escarpment Protection Area. In brief his proposal is as follows:

That a portion of this property designated Escarpment Protection be allowed to develop under either the extension of the Minor Urban Centre designation to this property or by applying the Escarpment Recreation designation to it.

EXHIBIT:

286. Air photo showing property of Fred Barnes, Part Lot 5, Concession 4; and Part Lot 5, Concession 4, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the possibility of plans of subdivisions for low density development in the Escarpment Protection Areas is accepted then an application for such development may be made.

OWNER: Allan Gillies

LAND: Lot 1, Concession 2
Township of Collingwood

SUMMARY OF SUBMISSION:

This owner was concerned only with the fact that a strip of this property at the back was marked for acquisition. If there is assurance this property will not be taken there is no objection to its designation as Escarpment Natural or its inclusion in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The matter of acquisition has been dealt with elsewhere in this report.

OWNER: Alex Johnston

LAND: South 1/2 Lot 18, Georgian Range
Township of Keppel

SUMMARY OF SUBMISSION:

This owner expressed concern about certain features of the Proposed Plan including the need for clarification of certain clauses therein. His main opposition revolved around difficulties experienced in procuring severances, although he eventually received what he requested.

RECOMMENDATION:

None.

REASONS:

These lands are included in the area recommended for deletion in Submission 406 (Township of Keppel).

OWNER: Mrs. Margaret Quinton

LAND: Lots 27, 28, 29 and 30, Concession 12
The Village Survey
Township of Holland

SUMMARY OF SUBMISSION:

This owner expressed her opposition to the *Niagara Escarpment Planning and Development Act* and the Proposed Plan. She wants the planning controls returned to the municipalities as they can best deal with the future of the Township.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Fred Davenport

LAND: Lots 34 and 35, Concession 17
Part Lot 34, Concession 20
Lots 41 and 42, Concession 21
Township of Keppel

SUMMARY OF SUBMISSION:

The gist of this submission is that the above lands be completely removed from the Proposed Plan. The owner is of the opinion that the Proposed Plan discriminates against those within its confines, and believes another level of control is completely unnecessary. He requested that all planning administration be placed back under the local municipalities.

EXHIBIT:

287. Two Items:

- (a) Air photo showing property of Fred Davenport, Lots 34 and 35, Concession 17, Township of Keppel, County of Grey.
- (b) Air photo showing property of Fred Davenport, Part Lot 34, Concession 20; and Lots 41 and 42, Concession 21, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

These lands in our opinion, based on the evidence, are properly designated in the Proposed Plan.

OWNER: R. Alonzo Rennie

LAND: Part Lot 30, Concession 11
Township of Euphrasia

SUMMARY OF SUBMISSION:

This owner has 328 acres of land but only the property described above, some 100 acres, is within the Proposed Plan. These lands are designated Escarpment Natural and Escarpment Protection. His concern is possible interference with his farming operation if the lands remain within the Plan. There are sufficient controls presently in existence and he requests that his land be removed from the Proposed Plan.

EXHIBIT:

288. Air photo showing property of R. Alonzo Rennie,
Part Lot 30, Concession 11, Township of Euphrasia,
County of Grey.

RECOMMENDATION:

None.

REASONS:

It is our opinion that the lands are properly designated and should remain within the Proposed Plan.

OWNER: Mrs. Irene Potter

LAND: Part Lot 11, Concession 12
Township of Sydenham

SUMMARY OF SUBMISSION:

This owner requests that her 29 acre parcel designated Escarpment Rural be removed from the Proposed Plan.

EXHIBIT:

289. Air photo showing property of Irene Potter, Part Lot 11, Concession 12, Township of Sydenham, County of Grey.

RECOMMENDATION:

The subject land be removed from the Proposed Plan.

REASONS:

It is apparent that the exclusion of these lands will not effect the objectives of the *Niagara Escarpment Planning and Development Act* or the Proposed Plan and witnesses for the Niagara Escarpment Commission indicated that it was not critical that they remain within the Plan.

AGENT: Fred Davenport

OWNER: Ray Landherr

LAND: Lot 16, Plan 825

Township of Keppel

SUMMARY OF SUBMISSION:

Mr. Landherr was reluctant to come to the hearing but requested through his agent that both of his properties be removed from the Proposed Plan.

EXHIBIT:

290. Air photo showing property of Ray Landherr, Lot 16, Plan 825 (Part Lot 27, Concession 17) Township of Keppel, County of Grey; and property of Mrs. Carrie Landherr, Part Lot 26, Concession 19, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the property is properly designated and should remain within the Proposed Plan.

AGENT: Fred Davenport

OWNER: Mrs. Carrie Landherr

LAND: Part Lot 26, Concession 19
Township of Keppel

SUMMARY OF SUBMISSION:

This submission simply requested the removal of this property from the Proposed Plan.

EXHIBIT:

290. Air photo showing property of Ray Landherr, Lot 16, Plan 825 (Part Lot 27, Concession 17) Township of Keppel, County of Grey; and property of Mrs. Carrie Landherr, Part Lot 26, Concession 19, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the property is properly designated and should remain within the Proposed Plan.

AGENT: William McKee, Director

GROUP: Sydenham Federation of Agriculture

SUMMARY OF SUBMISSION:

This group was very pleased with the area of the Proposed Plan being reduced and a fewer number of restrictions but still have many concerns which were expressed in a brief. The following recommendations were made:

1. That Ontario Regulation 118/74 be repealed and the Niagara Escarpment Planning Area be defined as the area extending 300 metres on either side of the main axis of the Escarpment, defined in relation to its edge or the highest contour, adjusted to include any publicly owned land adjacent to the Escarpment.
2. That all agricultural lands of Classes 1 to 4 and farm related buildings located within the planning area be exempted from controls of the Plan as long as the lands and buildings are used for agricultural purposes.
3. That the Bruce Trail be treated in the same manner as scenic drives under the provisions of the Proposed Plan and that no special legislation be requested or enacted and no public money be used to stabilize the route of the trail but that it continue as it has in the past to be a volunteer achievement between the Bruce Trail Association and cooperative landowners.
4. That the preservation of the Niagara Escarpment is not essential to the welfare of the citizens of the Province and therefore any and all reference to the use of expropriation as a method of acquiring title to land in the *Niagara Escarpment Planning and Development Act* be deleted and that the Niagara Escarpment Commission

Submission No. 433 continued

not be granted the powers of an expropriation body.

5. That a less costly less time consuming and more positive method than development control be used to implement the Plan.

RECOMMENDATION:

None.

REASONS:

1. This matter is not within our jurisdiction.
2. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
3. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
4. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
5. This matter is dealt with in recommendations, comments and reasons in the general section of this report.

OWNER: Walter Reid

LAND: Springbank Chalet Farms
Lot 1, Concession 1
Township of Sydenham
Lot 1, Concession 12
Township of Holland

SUMMARY OF SUBMISSION:

Mr. Reid has a family farm which has been in the family for almost 100 years. In his brief he suggested that all agricultural lands from Classes 1 to 6 be removed from the Proposed Plan. He also doesn't like the idea of having a park cluster adjacent to his farming operation which could lead to land use conflicts.

EXHIBIT:

291. Air photo showing property of Walter Reid, Part Lot 1, Concession 1, Township of Sydenham, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this site is properly designated and should remain in the Proposed Plan.

AGENT: Walter Reid

OWNER: Barry W. Reid

LAND: Lot 1, Concession 12
Township of St. Vincent

SUMMARY OF SUBMISSION:

The owner requests that his property be removed from the Proposed Plan. This is a string 100 acres which are operated in conjunction with Springbank Chalet Farms Limited (Submission 434).

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the lands should remain within the Plan.

AGENT: Walter Reid

OWNER: Robert W. Reid

LAND: Lot 4, Concession 10
Township of Holland

SUMMARY OF SUBMISSION:

This property comprises approximately 93 acres and is operated in conjunction with Springbank Chalet Farms Limited (Submission 434). He pointed out that there was a mapping error in the Proposed Plan which showed lands north of him as public lands which was not the case. He requested that his lands be removed from the Proposed Plan.

EXHIBIT:

292. Air photo showing property of Robert William Reid,
Lot 4, Concession 10, Township of Holland, County
of Grey.

RECOMMENDATION:

None.

REASONS:

These lands are properly designated according to the evidence adduced and should remain within the Proposed Plan.

COUNSEL: Paul Shaw

OWNER: Eric Blaser

LAND: West 1/2 Lot 16, Concession 5
Part Lot 15, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

The property in Concession 5 is proposed as Escarpment Rural and that in Concession 3 is Escarpment Protection and Escarpment Recreation. This individual wants to be able to put a plan of subdivision on his lands.

EXHIBIT:

293. Air photo showing property of Eric Blaser, west 1/2 Lot 16, Concession 5; and Part Lot 15, Concession 3, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

The applicant appeared to be satisfied by the explanation given by the Niagara Escarpment Commission's staff at the hearing.

COUNSEL: R.W. Macauley, Q.C.

OWNER: Dearie Contracting Limited

LAND: South 1/2 Lot 9, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

The subject lands are proposed to be designated Escarpment Natural and Escarpment Protection and are located in the Beaver Valley. The property is located just north of Talisman and Old Smokey and consists of some 107 acres. Mr. Macauley wants the Escarpment Recreation Area extended north to include his client's lands. A qualified planner, Donald F. Given, who had done a study on the potential of downhill skiing in the Province which included the Beaver Valley gave evidence. It is intended that this site be used at the base of the scarp only, with some form of commercial development for overnight accommodation or more extended periods. Mr. Given feels that the Beaver Valley contains the last major resource for downhill skiing. The proposal will in essence provide living accommodation for the skiers at Talisman and Old Smokey. It was pointed out also that the projected development would aid the economy of the Beaver Valley and provide additional jobs. Mr. Macauley stated that his client would be willing to donate the Escarpment Natural Area if permission to change the remaining area to Escarpment Recreation was permitted.

EXHIBITS:

294. Air photo No. 1. Site Analysis: Dearie Contracting Limited, Scale: 1:2500. Date: September, 1981. Job No. 79:033. The Malone Group Limited.
295. Curriculum Vitae - Donald F. Given
296. Map of Canada, Department of Energy, Mines and

Submission No. 438 continued

Resources, Survey and Mapping Branch, 1970: 1 inch equals 100 miles. Additional red dots placed on map by Donald F. Given, indicating study areas where master park plans, dealing with the environment have been conducted by Given.

297. Air photo No. 2. Existing Conditions: Dearie Contracting Limited, Scale: 1:2500, Date: September 1981. Job No. 79:033. The Malone Group Limited.
298. Air photo No. 3 . Proposed Concept: Dearie Contracting Limited. Scale: 1:2500, Date: September 1981. Job No. 79:033. The Malone Group Limited.
299. Subject property: Dearie Contracting Limited. Cross-section Through Site. Date: September 1981. Scale: 1:2000. The Malone Group Limited.
300. Niagara Escarpment Commission Proposed Plan Map 6, County of Grey: Township of Artemesia, Township of Collingwood, Township of Euphrasia, Township of Osprey and Township of St. Vincent. Additional markings placed on map by Donald F. Given, indicating his concept of the area he considers to be the Beaver Valley.
301. Air photo showing property of Dearie Contracting Limited, south 1/2 Lot 9, Concession 5, Township of Euphrasia, County of Grey.

RECOMMENDATION:

That the Proposed Plan be modified to change the designation on the subject lands to Escarpment Recreation.

REASONS:

A good portion of the subject property has already been recommended for Escarpment Recreation in Submission 405 (County of Grey).

It was also admitted at the hearing by the Niagara Escarpment

Commission's staff that if these lands had been owned by Talisman they would have been designated Escarpment Recreation. In any event ownership is no criterion for land use planning.

We are of the opinion, on the basis of the evidence adduced, that the change to Escarpment Recreation will be in keeping with the objectives of both the Proposed Plan and the *Niagara Escarpment Planning and Development Act*.

AGENT: Bruce McKay

OWNER: Harvey Vance

LAND: Lot 17, Concession 5
Township of Derby

SUMMARY OF SUBMISSION:

Mr. Vance wants his property removed from the Proposed Plan and feels that in passing the *Niagara Escarpment Planning and Development Act*, the Ontario Government deprived a minority group of its democratic rights which are still enjoyed by the majority.

RECOMMENDATION:

None.

REASONS:

The subject site is not included in the Proposed Plan.

OWNER: Robert McKessock, M.P.P.

LAND: Part Lots 4 and 5, Concession 8
West 1/2 Lot 3, Concession 9
Township of Holland

SUMMARY OF SUBMISSION:

This submission did not deal specifically with this property but expressed general opposition to the Proposed Plan. Mr. McKessock expressed his opinion that it is unrealistic for the various Bruce Trail Associations to think that the trail should be continuous.

EXHIBIT:

302. Air photo showing property of Robert McKessock,
Part Lots 4 and 5, Concession 7; and West 1/2
Lot 3, Concession 9, Township of Holland, County
of Grey.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment, although the subject of the Bruce Trail is dealt with elsewhere in this report.

OWNER: Kenneth B. Taylor

LAND: Lots 37 and 38, Concession 22
Lots 36 and 37, Concession 21
Part Lots 38 and 39, Concession 24
Lot 13, Plan RD-77
Township of Keppel

SUMMARY OF SUBMISSION:

Mr. Taylor operates a beef farm on some 540 acres and wants his lands removed from the Proposed Plan. It appears that some of his property is shown in the acquisition area.

EXHIBITS:

303. Two Items:

- (a) Air photo showing property of Kenneth B. Taylor, Lots 37 and 38, Concession 22; Lots 36 and 37, Concession 21, Township of Keppel, County of Grey.
- (b) Air photo showing property of Kenneth B. Taylor, Part Lots 38 and 39, Concession 24; and Lot 13, Plan RD-77, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan and the subject of property acquisition is dealt with elsewhere in this report.

AGENT: Bernd Moos

OWNER: Alfred Moos

LAND: Part Lot 13, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

The subject property is proposed for the Escarpment Protection designation in the Proposed Plan and the owner wishes to have his lands removed from the Plan. The owner would like to be able to sever off the back portion of his holdings and stated if he had this undertaking he would be willing to accept the designation of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

OWNER: Bernd Moos

LAND: Part Lot 10, Concession 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Moos stated that he purchased his property in 1971, which consists of approximately 51 acres, and would like the ability to create estate lots. He, therefore, wants to be removed from the Proposed Plan. The subject property is proposed to be designated Escarpment Protection.

EXHIBIT:

304. Air photo showing property of Bernd Moos, East Part Lot 10, Concession 6, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence this property has been properly designated and if our recommendations with respect to allowing low density plans of subdivision in the Escarpment Protection designation is accepted then an application may be made for such development.

OWNER: Dr. Allan Stone

LAND: Part Lot 18, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

Dr. Stone has a holding of some 50 acres in the Beaver Valley on which he built a residence about six years ago. He is in total support of the Proposed Plan and would be opposed to any change in designations in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Thomas, Earl and Donald Dailey

LAND: Part Lots 28 and 29, Concession 20
Township of Keppel

SUMMARY OF SUBMISSION:

Earl Dailey spoke on behalf of his two sons. Donald has 197 acres in Part Lots 28 and 29, Concession 20; whereas Thomas has about four acres in Part Lot 29, Concession 20. Donald operates a farm and feels that good farmland should be removed from the Plan. He stated that these lands which are proposed to be designated Escarpment Protection are about four or five miles from the Escarpment.

EXHIBIT:

305. Air photo showing property of Thomas, Earl, Donald and David Dailey, Part Lots 28 and 29, Concession 20, Township of Keppel, County of Grey; Thomas, Earl and Donald Dailey, Part Lot 29, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan.

OWNER: William Stephens

LAND: Lot 27, Concession 8
Township of Artesmesia

SUMMARY OF SUBMISSION:

Mr. Stephens owns and operates a dairy farm and would like his farm removed from the Proposed Plan because he does not wish any encumbrances on the land since he is nearing retirement.

EXHIBIT:

306. Air photo showing property of William Stephens,
Lot 27, Concession 8, Township of Artesmesia.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject property.

REASONS:

The removal of these lands in our opinion will not detract from the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

AGENT: Dr. Stewart Hilts

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

Dr. Hilts appeared on behalf of the Federation of Ontario Naturalists and indicated his total support for the Proposed Plan. He did have some recommendations to make which are as follows:

1. The Plan should provide a strong framework for protection, control must be exerted.
2. Recreation Areas must protect Natural Areas, put a policy in the Plan for ski areas.
3. No transportation and utilities in Natural Areas.
4. Provide money for acquisition, landowners must be given some certainty.
5. Acquisition areas should be expanded.
6. Information in making the Plan should go to local planners.
7. There should be voluntary agreements with owners by having a tax incentive.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

COUNSEL: B. Boyce

OWNER: Danny A. Francescut

LAND: Lots 16, 17 and 18, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Boyce appeared on behalf of his client to confirm the proposed designations in the Proposed Plan. It appears his client's 100 acres are in the Escarpment Recreation Area and the whole submission was more in the way of seeking information.

RECOMMENDATION:

None.

REASONS:

None necessary.

OWNER: David Dinsmore

LAND: North 1/2 Lot 2, Concession 5
Township of St. Vincent

SUMMARY OF SUBMISSION:

Mr. Dinsmore owns 100 acres of what he describes as prime agricultural land on which he raises beef and hogs. He is in a proposed Escarpment Protection Area but would like his land removed from the Proposed Plan. He would as a farmer simply like to be free of controls to operate his farm.

EXHIBIT:

307. Air photo showing property of David Dinsmore,
north 1/2 Lot 2, Concession 5, Township of St.
Vincent, County of Grey.

RECOMMENDATION:

None.

REASONS:

A portion of this property may have been deleted*
in our recommendation in Submission 472 (Township of
St. Vincent) and the balance of the property is properly
designated and should remain within the Proposed Plan.

* Uncertainty arises due to the scale of mapping available to us.

OWNER: Arnold Flanigan

LAND: Part Lot 40, Concession 23
Township of Keppel

SUMMARY OF SUBMISSION:

This submission concerns 20 acres of land designated Escarpment Rural in the Proposed Plan and presently put to hay. It is a corner lot adjacent to the Escarpment and has a home erected thereon. The owner has future plans for development and requests that his lands be removed from the Plan.

EXHIBIT:

308. Air photo showing property of Arnold Flanigan,
Part Lot 40, Concession 23, Township of Keppel,
County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject property is properly designated and should remain within the Proposed Plan.

OWNER: Stewart E. Hamill

LAND: Lot 2, Concession 7
Township of Sydenham

SUMMARY OF SUBMISSION:

This owner made reference in this submission to land in addition to the above owned by him and other relatives. He expressed his satisfaction with the Proposed Plan and the designations given their properties.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

COUNSEL: Jack A. Seed, Q.C.

OWNER: Sundance of Blantyre Limited

LAND: Lot 1, Concession 9

East 1/2 Lot 1, Concession 10

Township of St. Vincent

West 1/2 Lot 29, Concession 8

North Part Lot 29, Concession 9

Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns itself with about 600 acres of land designated Escarpment Natural, Escarpment Protection and Escarpment Rural in the Proposed Plan and is a working farm. The owners believe they have been discriminated against by their inclusion in the Plan since other similar properties around them have not been included. They are of the opinion that they do not require another layer of government administering their lands. Disenchantment was expressed regarding the activities of the Bruce Trail on the property and also with the maintenance of the existing Provincially owned lands in the area. It is requested that all of their acreage in the Proposed Plan be removed from it.

EXHIBIT:

309. Air photo showing property of Sundance of Blantyre Limited, Lot 1, Concession 9; East 1/2 Lot 1, Concession 10, Township of St. Vincent, County of Grey; and West 1/2 Lot 29, Concession 8; and North Part Lot 29, Concession 9, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

OWNER: Cecile Cole

LAND: Lot 37, Concession 23
Lot 36, Concession 24
Township of Keppel

SUMMARY OF SUBMISSION:

The above owner is opposed to the Proposed Plan and believes many of the regulations are too onerous to live with. He has a 100 acre farm that has been in the family for four generations. The lands are designated Escarpment Rural and Escarpment Natural. Although he expressed his concerns regarding his ability to sell timber from the land to help pay off the mortgage if the Plan's regulations are in effect, his main point of contention appears to be the effect inclusion in the Plan would have on a possible sale of the property. He wants his lands removed from the Proposed Plan.

EXHIBIT:

310. Air photo showing property of Cecile Cole, Lot 37, Concession 23; and Lot 36, Concession 24, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

OWNER: Donald Abernethy

LAND: Part Park Lots 48 and 49
Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

The above lots are shown in the Proposed Plan in the Escarpment Natural and Escarpment Protection designations. It is the position of the owner that he should be permitted some development on the above land and may have been able to do so were it not for objections raised by the Niagara Escarpment Commission.

EXHIBIT:

311. Air photo showing property of Donald Abernethy,
Part Park Lots 48 and 49, Town Plot of Brooke,
Township of Sarawak, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

OWNER: Alex Torrie

LAND: West 1/2 Lot 1, Concession 9
East 1/2 Lot 2, Concession 9
East 1/2 Lot 3, Concession 8
Township of Holland

SUMMARY OF SUBMISSION:

The above lands are actively farmed and have been included in the Proposed Plan as Escarpment Protection and Escarpment Rural. Some 300 acres are involved and the owners state that they feel threatened by the Proposed Plan. It is felt that local authorities can better administer control affecting Township lands. There is no evidence of the visible scarp on these properties, it is contended, although the owner does agree that on the lands where such does exist there should be some form of protection, but apparently not by the Niagara Escarpment Commission. It is requested that all of these lands be removed from the Proposed Plan.

EXHIBIT:

312. Air photo showing property of Alex Torrie, West 1/2 Lot 1, Concession 9; East 1/2 Lot 2, Concession 9; and East 1/2 Lot 3, Concession 8, Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

AGENT: William Lobban

OWNER: Mrs. Joan Lobban

LAND: Part Lot 7, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 6 1/4 acres of land proposed for acquisition in the Proposed Plan as part of a Nature Reserve better known as "Old Baldy" referred to on page 41 of the Proposed Plan. The owner requests that the red line around the property denoting future acquisition be removed from the said lands and the suggestion is made that an Escarpment Protection designation would be more appropriate. Exception is taken to the Niagara Escarpment Commission assessment of the designation it proposes on these lands and the size of the proposed park of 100 acres is deemed unwarranted and an unjustified cost to the Ontario taxpayers.

RECOMMENDATION:

None.

REASONS:

The matter of proposed acquisition areas has been dealt with elsewhere in this report.

COUNSEL: J.F. Laing

OWNER: Arthur G. Barnes

LAND: North 1/2 Lot 2, Concession 4
Township of Collingwood

SUMMARY OF SUBMISSION:

The above named owner of 100 acres of land designated largely Escarpment Rural with a pie shaped portion shown as Escarpment Natural and marked for future acquisition requests that the red line denoting acquisition be removed from his property. It was pointed out that the Escarpment Natural Area of his property lies to the north of a large tract of land with a similar designation known as Grey County Forest. He questions why his small parcel should be part of the 950 acres sought to be acquired to increase this forested area to 2,950 acres.

RECOMMENDATION:

None.

REASONS:

The matter of proposed acquisition areas is dealt with elsewhere in this report.

OWNER: Harold Sutherland

LAND: Part Lots 27 and 28, Concession 17
Township of Keppel

SUMMARY OF SUBMISSION:

This submission concerns 75 acres of land south of Bass Lake designated Escarpment Protection and Escarpment Natural in the Proposed Plan. The owner wants to develop this acreage in housing and has not met with any degree of success. He urges the hearing officers to recommend removal of these lands from the Proposed Plan.

EXHIBIT:

313. Air photo showing property of Harold Sutherland,
Part Lots 27 and 28, Concession 28, Township of
Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

AGENT: John R. Poste, President

GROUP: Blue Mountains Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission on behalf of the above mentioned Club was made by John R. Poste, its President. The brief outlined the Bruce Trail location in this area and noted the fact that three miles of its fifteen mile length is on public roads which present some dangers to hikers. He suggests that this danger could be removed if the trail could be moved on to private property and expressed his willingness to negotiate with owners to this end. Concern was expressed at the use of the Bruce Trail by snowmobiles, snowshoers and skiers all of which pose a problem of erosion and he recommends that some other accommodation be worked out for them. The Club is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 700-55

SUBMISSION NO. 460

OWNER: James, Allen and Freda Thompson

LAND: Lots 33 and 34, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

This property is a 185 acre parcel designated Escarpment Natural and Escarpment Protection in the Proposed Plan with the Escarpment Natural portion recommended for acquisition. The owners are not happy with the regulations of the Proposed Plan and wish their property to be removed.

EXHIBIT:

314. Air photo showing property of James, Allen and Freda Thompson, Part Lots 33 and 34, Concession 26, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence it is our opinion that this property is properly designated and should remain in the Proposed Plan.

OWNER: Bruce P. Simpson

LAND: Part Lot 10, Concession 2
 Township of St. Vincent

SUMMARY OF SUBMISSION:

The evidence indicated that the 20 acres this man owns is outside the boundaries of the Proposed Plan and he will be subject to local control only.

RECOMMENDATION:

None.

REASONS:

Property not in the Proposed Plan.

OWNER: Ross Cruikshank

LAND: Part Lots 4 and 5, Concession 1
Lots 13, 14, 15, 16 and 43
Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

This submission indicated that the owner has had trouble trying to get a severance and as a result a development permit from the Niagara Escarpment Commission in the past and would like to have all of his lands removed from the Proposed Plan.

EXHIBIT:

315. Air photo showing property of Ross Cruikshank,
Part Lots 4 and 5, Concession 1; and Town Plot
of Brooke, Township of Sarawak, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Plan.

AGENT: Douglas Robertson

GROUP: Bruce Trail Association

SUMMARY OF SUBMISSION:

Mr. Robertson read a brief which supports the Proposed Plan and pointed out that his Association actually owns 29 acres of land in the Beaver Valley Area of the Township of Euphrasia. It was pointed out, however, that the Association would like the range of uses reduced for Escarpment Natural Areas and in particular that single family homes be excluded as a use in the Escarpment Natural Areas.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Mervin Campbell

LAND: West 1/2 Lot 11, Concession 2
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Campbell stated that although he owns 100 acres of land he is not a full time farmer and his concern is about the word "compatible". It is proposed to have an Escarpment Protection Area designation on his property. He indicated that farmers don't wish to be limited in what they can do because it may hinder loans at the bank. He also pointed out that the 25 acres of bush on his property has great potential for logging and stated "the bush is your bank".

EXHIBIT:

316. Air photo showing property of Mervin Campbell, West 1/2 Lot 11, Concession 2, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

OWNER: Elroy Belbeck

LAND: West Part Lot 3, Concession 10
Township of Holland

SUMMARY OF SUBMISSION:

The subject property consists of about 85 acres and is proposed to be designated both Escarpment Natural and Escarpment Protection in the Proposed Plan. He stated that the land has been cleared for agriculture since 1870 and has been timbered at least twice in the last 100 years. Mr. Belbeck is totally opposed to the *Niagara Escarpment Planning and Development Act* and to the Proposed Plan.

EXHIBIT:

317. Air photo showing property of Elroy Belbeck, West 1/2 Lot 3, Concession 10 E.G.R., Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, the land is properly designated and should remain in the Proposed Plan.

OWNER: Walter Scott

LAND: Part Lot 4, Concession 7
Township of Sydenham

SUMMARY OF SUBMISSION:

Mr. Scott owns 50 acres of land which he describes as very scenic and would be a good place to build on. He feels that having controls on his property makes it unsaleable and he would like to get the top market value for the land in question. It appears about 3/4 of the property is in the Escarpment Natural Area.

EXHIBIT:

318. Air photo showing property of Walter Scott, Part Lot 4, Concession 7, Township of Sydenham, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this land is properly designated and should remain in the Proposed Plan.

COUNSEL: John Keefe and Rosalyn Houser

OWNER: Cambray Investments Ltd.

LAND: Part Lots 12, 13 and 14, Concession 5 and 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Keefe at the outset of the submission pointed out that his client has no objection to the Escarpment Natural Area proposed for a portion of the subject lands in the Proposed Plan and as a matter of fact the owner would be willing to dedicate these lands to any appropriate body. The main issue here is the area proposed for an Escarpment Protection Area which the owner seeks to have modified to an Escarpment Recreation Area. It is the intention of the Company to construct a country type inn as well as detached units which may be condominiums. The purpose is to have a year round type of recreational facility. It is the contention of this applicant that the existing Escarpment Recreation designation does not include recreation from a tourism point of view. It was pointed out that it would be a great mistake to limit recreational development to existing uses and that development should be based only on the clearest planning evidence. There should be studies carried out to determine whether the existing Escarpment Recreation Areas will satisfy the need both now and in the future. Mr. Keefe also pointed out in his opening statement that the *Niagara Escarpment Planning and Development Act* does not prohibit development but seeks to control it by not hurting the Escarpment and that there must be a balance between recreation and other uses. It was contended also that the Proposed Plan is an existing use map and not a planning map.

David Paul, an employee of the Ministry of Tourism and Recreation, was called to give evidence. He gave certain statistics with respect to tourism in the Grey-Bruce Area relating to the people employed in the industry as well as the income generated. He pointed out that the Beaver Valley was different to the Collingwood Area and attracted

Submission No. 467 continued

a different type of visitor. In his opinion the Beaver Valley is more subdued and does not appeal as much to the youthful market. He also stated that the Beaver Valley lacked identity and image to the tourist and could be complemented by more resorts. He apparently has examined some conceptual plans of the owner and feels that such a development would be compatible with the goals of the Ministry.

Peter McInnis, planner, gave evidence for Cambray supporting the modification sought. One of the main points developed in his evidence was the matter of visual impact to the rest of the Beaver Valley and it was his opinion that development on the subject site could not be seen even in the wintertime. He indicated that attempts to get approval from the Niagara Escarpment Commission were unsuccessful and it was decided that further steps would not be taken until final approval of the Proposed Plan. A subsequent request by the Township of Euphrasia to amend the Official Plan was deferred by the Minister to await the outcome of these hearings.

Cameron M. Kitchen was also called by the owner to give evidence. Mr. Kitchen is the President of Ecoplans Ltd. and has an extensive background in environmental engineering. In carrying out his study he contacted several agencies such as the Ministry of Natural Resources, Conservation Authority, Ministry of Agriculture and Food, etc. seeking data on the subject site. He spent some 16 man days on the site and used other experts such as foresters, botanists and fisheries people. It was the conclusion of these studies that indicated the site would not be a viable farm. He went into a great deal of information in describing the site and what it contained in the way of plant life, streams, bird life, etc. The fish life was confined to the main stream only because all of the other streams are intermittent. In addition to the above Mr. Kitchen did some work on the visual impact of the site and came to the conclusion that although the site may be visible from the opposite side of the Beaver Valley the distance is so great it is difficult to pick out the existing barn. In his opinion the environmental impact of development on the site will be minimal and can easily be controlled.

EXHIBITS:

319. Curriculum Vitae - Peter G. McInnis
320. Curriculum Vitae - Cameron M. Kitchen
321. Air photo of Cambray Investments Ltd. property in the Beaver Valley. Also attached overlay for above property: Plan No. 3, Development Envelopes. Scale: 1:2000. Jack Klein and Henry Sears, Architects.
322. Plan No. 3 - site plan: Proposed Development, Cambray Investments Ltd. property, Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Klein and Sears.
323. Two Items:
 - (a) Artist's conception of proposed inn on Cambray Investments Ltd. property in the Beaver Valley. "Front of Inn looking North-East." Epping Commons.
 - (b) Artist's conception of proposed housing cluster on Cambray Investments Ltd. property in the Beaver Valley. "Housing cluster looking South-East." Epping Commons.
324. Two Items:
 - (a) Winter photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached.
 - (b) Summer photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached.
325. Site Sections. Cambray Investments Ltd. property in the Beaver Valley. Epping Commons: Scale 1:2000. Klein and Sears, Architects.

Submission No. 467 continued

326. First site plan developed by Cambray Investments Ltd. for property in the Beaver Valley approximately 1978. A premininary plan. Klein and Sears, Architects.
327. Second proposed plan of Cambray Investments Ltd. as submitted to the Township of Euphrasia in June, 1979. Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Plan No. 3, Site Plan - Proposed Development. Klein and Sears.
328. Certified true copy of the Minutes of the Beaver Valley Planning Board meeting, September 11, 1979.
329. Certified true copy of the Minutes of a Beaver Valley Planning Board public meeting held on June 19, 1980.
330. Minutes of the Beaver Valley Planning Board meeting, June 24, 1980.
331. Certified true copy of the Minutes of the Council meeting of the Township of Euphrasia, July 4, 1980.
332. Amendment No. 33 to the Official Plan of the Beaver Valley Planning Area, prepared by: The Grey County Planning Department for the Beaver Valley Planning Board, May 1980.
333. Soil map of Cambray Investments Ltd. property, Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Soils alphanumeric code attached. Scale: 1:2000.
334. Topographic map, 1976, Department of Energy, Mines and Resources. Area: Markdale, Grey County, Ontario. Scale: 1:50,000. Cambray Investments Ltd. property in Beaver Valley marked on map.
335. Two Items:
 - (a) Tourism Development Strategy, Collingwood - Midland - Orillia Zone, Volume 1, prepared for: Ontario

Ministry of Industry and Tourism. Prepared by:
Marshall Macklin Monaghan Limited, Thorne
Stevenson and Kellogg. May 1980.

(b) Tourism Development Strategy, Collingwood - Midland -
Orillia Zone, Volume 2, Technical Appendix.
Prepared for: Ontario Ministry of Industry and
Tourism. Prepared by: Marshall Macklin Monaghan
Limited, Thorne Stevenson and Kellogg. May 1980.

336. Four Items:

- (a) Beaver Valley - Viewshed Analysis with Legend:
Major Forest Areas, Major Development Areas and
Proposed Plan Boundary. Scale: 1:25,000.
- (b) An overlay for (a) above: Grey County Road 7
with Legend.
- (c) An overlay for (a) above: Grey County Road 13
with Legend.
- (d) An overlay for (a) above: Panoramic View with
Legend.

337. Panoramic Views of Beaver Valley from four viewpoints
as marked on Exhibit 336.

338. Topographical map of Beaver Valley, Scale: 1:25,000
and showing Proposed Plan Boundary and Epping Commons
Site. Also attached is a visibility composite overlay.

339. Curriculum Vitae - Fidenzio Salvatori

340. Terms of Reference: Beaver Valley Visual Resources
Management Study, August 31, 1981 re: Fidenzio
Salvatori, consultant.

341. A report on the Visual Analysis of the Beaver Valley
Escarpment Area. Prepared by: Professor Fidenzio
Salvatori, Department of Landscape Architecture,
University of Toronto. October 13, 1981.

342. Curriculum Vitae - Keith W. Lathem.

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343. Coalition on the Niagara Escarpment. Hydrologic/ Hydrogeologic Appraisal, Epping Commons Development. The Lathem Group Inc., Consulting Engineers. October 9, 1981.
344. Topographical map indicating the watershed of the Beaver Valley.
345. Schematic of Local Hydrologic Cycle: Beaver Valley Area.
346. Topographical map: lands owned by Cambray Investments Ltd. from a drawing by Klein and Sears, dated March 1979, indicating wooded areas, drainage channels and wetlands. The Lathem Group Inc., 8108, October 1981.
347. Air photo showing Beaver River and swamp in the vicinity of the subject property: Cambray Investments Ltd.
348. Map of Beaver Valley and surrounding area showing property of some Beaver Valley Heritage Society members in proximity to Cambray Investments Ltd. property.
349. Sketch showing certain properties in the proximity of Cambray Investments Ltd. property. Also attached, portions of a topographical map and a Niagara Escarpment Commission Proposed Plan map showing the Beaver Valley Area.
350. Petition of 331 signatures in support of the development of Epping Commons, as submitted by Madelene Cummins, Concerned Citizens of the Beaver Valley.
351. Letter dated October 19, 1981 in support of Epping Commons development and signed by the three trustees of the Village of Kimberly.
352. Letter dated October 14, 1981 in support of Epping Commons development signed by Carol Burgess, President,

Meaford and District Chamber of Commerce.

353. Letter dated October 15, 1981 in support of Epping Commons development signed by Paul Dawson, President, Flesherton and District Chamber of Commerce.
354. Letter dated October 15, 1981 in support of Epping Commons development signed by Gwennyth Poulton, Secretary, Markdale Chamber of Commerce.
355. Letter in support of Epping Commons development (not dated), signed by E.M. Juffs, Past President, Flesherton District Chamber of Commerce.
356. Letter in support of Epping Commons development (not dated), signed by Peter Scopin, Manager, Fort Gary Motel and members of the Flesherton and District Chamber of Commerce.
357. Letter dated October 19, 1981 in support of Epping Commons development signed by Ronald A. Cross.
358. Curriculum Vitae - Ian D. Wilson

RECOMMENDATION:

That the Plan be modified to change the designation on the portion of the subject property proposed to be designated Escarpment Protection to Escarpment Recreation.

REASONS:

Although there was extensive evidence adduced in opposition to this submission we are of the opinion that this recommendation will not detract from the objectives of the *Niagara Escarpment Planning and Development Act* or the Proposed Plan. A large area of this property is included in our recommendation on Submission 405 (County of Grey) to be changed to Escarpment Recreation.

FILE NO. 700-112

SUBMISSION NO. 468

OWNER: Albert King

LAND: North Part Lots 23 and 24, Concession 7
Township of Sydenham

• SUMMARY OF SUBMISSION:

The subject property comprises some 97 acres of land which the owner requests be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this land is properly designated and should remain in the Proposed Plan.

AGENT: Hans Hausler

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

Mr. Hausler feels that horse trails should be shown on the Proposed Plan and that there should be a horseman as a member of the Commission. He also suggested that snowmobile trails could be used in the summer as horse trails.

RECOMMENDATION:

None.

REASONS:

In our opinion there is no jurisdiction to deal with the matters raised.

OWNER: Donald MacQueen

LAND: Lot 24, Concession 6
Township of Sydenham

SUMMARY OF SUBMISSION:

This property of 200 acres is proposed to be designated Escarpment Rural and Escarpment Natural in the Proposed Plan. The owner simply requests removal of his property from the Plan.

EXHIBIT:

359. Air photo showing property of Donald MacQueen,
Lot 24, Concession 6, Township of Sydenham,
County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this property is properly designated and should remain in the Proposed Plan.

AGENT: George Weider, Chairman
Blue Mountain Resorts Limited and
President of
Craigleith Development Limited

OWNER: Blue Mountain Resorts Limited and
Craigleith Development Limited

SUMMARY OF SUBMISSION:

The submission deals with the position of the above named companies with regard to certain aspects of the Proposed Plan. Concern is expressed regarding the application of additional criteria, not in the Proposed Plan and referred to in Section 2.9 and recommends the reference to additional criteria be stricken from the Proposed Plan.

While recognizing that this ski resort comes under the jurisdiction of the Craigleith-Camperdown Official Plan, since it is the largest in Ontario, it should also be included in the list of ski resorts listed in the Proposed Plan by adding it to the list in Section 2.7.

Refinement is sought for the permitted uses contained in Section 2.7 to allow for the continuing changes and new development within the resort industry and the following definition is provided:

- (a) those facilities required for the daily maintenance and operation of the resort;
- (b) resort housing including single family, chalet, studio apartments, timeshare;
- (c) commercial development such as lodges, retail and service establishments and tourism/recreation services designed to stimulate four season utilization of the existing centre.

Submission No. 471 continued

Objection is taken to the large area of notice provided for in Section 4.1.9 and it is recommended to be deleted and the following substituted:

- (a) affected municipalities;
- (b) those who request so in writing and that they be allowed to appeal.

The brief also deals with the implementation of the Proposed Plan and expresses the opinion that it does not properly address this issue and further it has not fulfilled its objective under Section 8 (c) of the *Niagara Escarpment Planning and Development Act* to provide adequate opportunities for outdoor recreation. The submission suggests that for the "village core" of this owner the implementing tool be zoning with development control as the amending mechanism. The latter part of this submission gets into an area of recommendations to the Minister leading up to certain actions being taken in consequence none of which we believe we have the jurisdiction to deal with as they do not fall within our scope of reference.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

AGENT: Robert Mackey, Chairman
 St. Vincent Planning Board

GROUP: Township of St. Vincent

SUMMARY OF SUBMISSION:

The submission presented by the Chairman of the St. Vincent Planning Board requests the deletion from the Proposed Plan of the Hamlet of Griersville and an area to the north of it. It is stated that the Minor Urban Centre designation and surrounding Escarpment Protection Area designation is not appropriate as it does not recognize existing development nor provide sufficient direction for future growth of the Hamlet. Also in the Township of St. Vincent's review and update of the Official Plan the Hamlet has been identified as a growth node and a growth rate has been established for it. The County of Grey in 1978 submitted to the Niagara Escarpment Commission a response to the Preliminary Proposals endorsed by St. Vincent recommending deletion of the Hamlet. This document by its mapping located the boundary of the Plan in this area to be south of Griersville on a line between the north and south half of Lot 2, Concessions 4 and 5. Such boundaries would still recognize the scarp entity while permitting the Hamlet to grow under local control.

RECOMMENDATION:

The Proposed Plan be modified to delete the lands as requested by the Township of St. Vincent.

REASONS:

We are of the opinion, based on the evidence adduced, that the objectives of the Proposed Plan and the *Niagara Escarpment Planning and Development Act* will not be adversely affected.

OWNER: Charlie Kramer

LAND: Part Lot 16, Concession 4

Part Lot 14, Concession 2

Township of Derby

SUMMARY OF SUBMISSION:

This submission dealt with a total of 184 acres designated Escarpment Protection and Escarpment Rural. The subject lands are in close proximity to sewer and water services. There is certain development of a residential nature already erected on this part of these lands and the owner would like more. He states frustration caused by the Niagara Escarpment Commission is his reason for wanting out of the Proposed Plan. It is clear by his own submission that he has problems with public agencies other than the Niagara Escarpment Commission.

EXHIBIT:

360. Air photo showing property of Charles Kramer,
Part Lot 16, Concession 4; and Part Lot 14,
Concession 2, Township of Derby, County of Grey.

RECOMMENDATION:

None.

REASONS:

A small portion of the property in Lot 14 has been recommended for change to Urban Centre in Submission 407 (Township of Derby) and the balance of the property in our opinion, based on the evidence, is properly designated and should remain in the Proposed Plan.

AGENT: Martin Parker

GROUP: Saugeen Field Naturalists

SUMMARY OF SUBMISSION:

This organization presented a brief on the Proposed Plan and supports its aims and objectives and that the position that the area of the Proposed Plan not be reduced. It was pointed out that the County of Grey unlike other counties and regions in Ontario still retains its natural heritage and this is the reason why people from the south select this region for vacation homes and holidays.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-98

SUBMISSION NO. 692

OWNER: Hubert B. Cheshire

LAND: Part Lot 26, Colpoys Range
Township of Keppel

SUMMARY OF SUBMISSION:

This gentleman owns approximately 106 acres which is divided into two lots by a road. The Proposed Plan designates the smaller lot as Escarpment Natural and the larger lot as both Escarpment Natural and Escarpment Protection. He feels that the controls placed on his lands have prevented him from developing them and would like to be removed from the Proposed Plan. He pointed out also that there are cottages near him which are located close to the water.

EXHIBIT:

528. Air photo showing property of Hubert Cheshire,
Part Lot 26, Colpoys Range, Township of Keppel,
County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

OWNER: Mrs. Melva Peterson

SUMMARY OF SUBMISSION:

This was a written submission read into the record from Mrs. Peterson who now resides in British Columbia. The letter was very negative regarding the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. S 700-88

SUBMISSION NO. 694
(Written Only)

OWNER: Donald D. Halls

LAND: Part Lot 8, Plan 16R428
Lot 24, Colpoys Range
Township of Keppel

SUMMARY OF SUBMISSION:

In a written submission Mr. Halls requested that his property be removed from the Proposed Plan. This holding appears to consist of less than one acre and is improved with a dwelling.

EXHIBIT:

529. Air photo showing property of Donald Douglas Halls,
Township of Keppel, County of Grey.

RECOMMENDATION:

In our opinion, based on the evidence, this property is properly designated and should remain in the Proposed Plan.

OWNER: Mervyn G. and Philip E. Bye

LAND: South 1/2 Lot 26, Concession 2
Township of Sydenham

SUMMARY OF SUBMISSION:

The subject lands are not in the Proposed Plan. This submission dealt primarily with objections to a development permit issued by the Niagara Escarpment Commission on a neighbouring property.

RECOMMENDATION:

None.

REASONS:

No jurisdiction.

FILE NO. S 700-114

SUBMISSION NO. 730

OWNER: Garth Baron

LAND: Lot 21, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission was made by the wife of the above named in support of the retention of the Escarpment Protection designation on the above property which is owned by a non-profit, registered, charitable organization known as Caledon Contemporaries. It is a 100 acre farm in the Beaver Valley and its use is emphasized as an outdoor education centre for groups and individuals. The Caledon Contemporaries can support expansion of the Kimberly, Eugenia and "blue" areas but think that development on the east or west slope north of the existing "blue" at Talisman is unacceptable.

Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Dr. W.G. Bassett

LAND: Lot 12, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 97.2 acres of land in the Beaver Valley designated Escarpment Protection and Escarpment Natural under the Proposed Plan. The owner is concerned about the proposals being made by landowners for varying degrees of urbanization and strip development and points out the undesirability of this and the conflict it presents with the Proposed Plan. While in full accord with the idea the valley become a recreational area and tourist attraction he does not believe this is attainable with high density urbanization. Such amendment or modifications sought could threaten the equity in valley properties.

The wife of the above owner also spoke on the visual impact on the valley of certain proposed development. Light, vision, optics and illumination are the disciplines she instructs on at the University of Toronto. She fears that if development in the valley is handled as outlined in the Beaver Valley Secondary Plan it will destroy the quality that has attracted residents to this area.

This submission can be taken to be in full support of the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: James Beldon

LAND: Lot 6, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 50 acre farm in the Beaver Valley located in the vicinity of Kimberly and immediately south of the Talisman Resort. While not opposed to development the owner believes that there are ample development sites in the valley now without creating more. He purchased his property next to the Talisman resort in 1977 relying on the Escarpment Protection designation given it at that stage in the Proposed Plan. Full support is given to the Plan.

RECOMMENDATION:

None.

REASONS:

Although this submission is in full support of the Proposed Plan at least a portion of the subject lands have been recommended for change to Escarpment Recreation in Submission 405 (County of Grey).

OWNER: Hans Kleefeld

LAND: Lot 15, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission is by the owner of a former schoolhouse property situated on one acre of land in direct proximity to Epping Terrace and designated Escarpment Protection. The above building is used seasonally and it is anticipated that the owner will eventually use it as a full-time residence. He has no objection to development so long as it is limited to that proposed by the Niagara Escarpment Commission's Proposed Plan. Concern is expressed about other development being proposed before the hearing officers. Full support is accorded the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Herman McConnell

LAND: North 1/2 Lot 14, Concession 5
Lot 15, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 250 acres of land in the Beaver Valley designated in the Proposed Plan as Escarpment Protection. The lands are rented for cash crops and the owner resides on the property. He is satisfied with the designation placed on his land. Opposition is registered to any further development in the valley particularly at Epping where he believes the traffic volume is too high now. Further development would be harmful to the fishing program the Ministry of Natural Resources has started in the Beaver River. He claims over one million dollars was spent by the Provincial Ministry on a fish dam. Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Although this submission is in support of the Proposed Plan at least a portion of the land in Concession 5 has been recommended for change to Escarpment Recreation in Submission 405 (County of Grey).

AGENT: Robert Leverty

OWNER: Mrs. Dorothy Teakles

LAND: Part Lot 17, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 50 acre property in the Beaver Valley purchased in 1980 and designated Escarpment Protection in the Proposed Plan. There is a farmhouse, barn and pond located on the property. Some of the acreage is rented out. She supports the Niagara Escarpment Commission's Proposed Plan particularly as it affects the Beaver Valley.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-122

SUBMISSION NO. 736

OWNER: Robert Wiele

LAND: Lot 10, Concession 8
Township of Collingwood

SUMMARY OF SUBMISSION:

This submission concerns a property of 50 acres of land designated in the Proposed Plan as Escarpment Protection. It was purchased in 1980 and is a farm with a house thereon. The owner likes the protection the Proposed Plan offers and requests that he stay in the given designation. This submission fully supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Gerald Weinberg

LAND: Lot 19, Concession 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 200 acre farm which is not included in the Proposed Plan. The submission expresses concern at any development being permitted in the Beaver Valley other than an expansion of existing areas such as Kimberley or Eugenia. Opposition is registered to any contemplated development such as is contemplated by the Beaver Valley Planning Board and reference is made to Talisman North and Epping Terrace. These are classed as strip development and spot rezoning. Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Sharon and Timothy Thompson

LAND: South 1/2 Lot 11, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 100 acre farm located in the Beaver Valley purchased in 1977 and designated Escarpment Protection. The Epping Commons property touches the lands next to the subject property. Mrs. Thompson who made the submission informed the hearing officers that the Talisman North proposal for development includes their lands.

Opposition is registered to any change being made in the Escarpment Protection designation on the Thompson land. The scarp face is located at the back of this property and the Escarpment Natural designation has been applied to it.

Full support for the Proposed Plan is voiced in this submission.

RECOMMENDATION:

None.

REASONS:

Although this submission is in support of the Proposed Plan a portion of the subject land has been recommended to be changed to Escarpment Recreation in Submission 405 (County of Grey).

OWNER: Robert Leverty and Michael Leverty

LAND: Part Lots 16 and 17, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This is a 150 acre parcel of land in the Beaver Valley jointly owned by the above named. Robert Leverty presented the submission. The lands are designated Escarpment Protection in the Proposed Plan and the brothers are in accord with this designation. Mr. Leverty traced the historic background of this farm which dates back to 1854. It still remains a working farm. Contained within the 150 acres are two 12.5 acre parcels of hardwood maple bush and the owner would not object if these acreages were designated Escarpment Natural. In great detail the terrain of the land was outlined by Mr. Leverty. He has experienced no trouble with hikers and states this area is one of the most spectacular sections of the Bruce Trail. This owner believes the Niagara Escarpment Commission's Proposed Plan is fair to all. He is in support of the expansion of Kimberley with proper services. Development of the western slope that would break the natural corridor is unacceptable and the proposed changes requested for Epping Terrace or Talisman North are not supported by him.

His position is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

AGENT: Robert Wiele, President

GROUP: Beaver Valley Heritage Society

SUMMARY OF SUBMISSION:

The Beaver Valley Heritage Society was formed in 1981 and its main concern is to protect the Beaver Valley's unique and natural environment. The landowners of this society support the Proposed Plan and the protection they receive from it and wouldn't want their rights taken away. The Society feels that major changes to the Plan in the Beaver Valley will jeopardize the following:

1. The natural beauty of the valley.
2. The lifestyle choices some have made in moving here.
3. The lifestyle choices other long time residents have seen protected when the Niagara Escarpment Commission was established.
4. The equity that many members have built-up by owning land in a protected area.

They take the position that changes proposed to the north of Talisman will destroy the resources of the valley. It is also felt that if any of the Proposed Plan is changed it would devalue their property. It was pointed out also that there is no evidence of need and therefore no justification for extra recreation areas such as Talisman North or Epping Terrace. The Society does support sensible development in the Minor Urban Centres as well as Talisman and the Beaver Valley Ski Club.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Lloyd Thomson

LAND: East 1/4 Lot 4, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Thomson through his company, Lloyd Thomson and Associates Limited, owns 50 acres of land. The Proposed Plan designates 38 acres of the property as Escarpment Natural and 12 acres as an Escarpment Rural Area. The 38 acre parcel is shown as a proposed acquisition area in the Proposed Plan. He stated that he has no quarrel with the proposed designations but feels that some of the boundary lines shown may be inaccurate. Mr. Thomson feels that the designations on his property have acted as a freeze and as a result the value of the property has been reduced and the land is unsaleable. He urges that the Government of Ontario buy his lands now and without delay.

RECOMMENDATION:

None.

REASONS:

We were advised at the hearing that the Niagara Escarpment Commission has endorsed the purchase of this property by letters to the Ministry of Natural Resources and the Conservation Authority.

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

Mr. Leverty indicated that the Board of the Coalition on the Niagara Escarpment had passed a resolution thanking the hearing officers. He also reaffirmed the position of the Coalition on the Niagara Escarpment with respect to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

None necessary.

AGENT: Kim Mooney

OWNER: Dr. Raymond O. Heimbecker

LAND: South 1/2 Lot 7, Concession 2
Part North 1/2 Lot 7, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Mooney pointed out that this property had been divided into four separate 50 acre parcels and were all in separate title. He indicated that the Proposed Plan designates both Escarpment Protection and Escarpment Rural on these lands. The evidence given by Mooney shows that this is flat farmland which is surrounded by publicly owned lands and lands which are designated Escarpment Recreation. The subject site, in this witness' opinion, is located at least 1/2 to one mile from the Escarpment and to him does not appear to be environmentally sensitive. He wishes to have all of this land removed from the Proposed Plan.

EXHIBIT:

562. Air photo showing properties of Dr. Raymond O. Heimbecker, South 1/2 Lot 7, Concession 2; and
- Part North 1/2 Lot 7, Concession 3, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.



PHASE II HEARING

THE
COUNTY OF BRUCE



Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrvies, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

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PHASE II

GENERAL STATEMENT

COUNTY OF BRUCE

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Bruce for which a hearing was held at Wiarton together with a portion of the supplementary hearing held in Wiarton consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 373 to 404 inclusive, 678 to 683 inclusive and 685 to 691 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 373 and 375.

In the County of Bruce we have recommended in Submission 373 that certain areas be removed from the Plan and certain designations be changed from those proposed.

Several submissions in this sector (Bruce) are dependent on the recommendations that were made in Submission 373 being accepted otherwise our recommendations on several submissions might have been to remove certain properties or to change designations.

Submissions in this category include the following: 381, 383, 384, 385, 386, 397, 400, 401, 402, 681, 682, 687 and 690.

PHASE II
COUNTY OF BRUCE
SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

AGENT: Donald B. Scott, Planning Director
GROUP: County of Bruce

SUMMARY OF SUBMISSION:

This submission was made by the Planning Director for the County of Bruce, on behalf of the County. The director stated the general support of the County for the goals and objectives set down by the Niagara Escarpment Commission in the Proposed Plan. In order to have the Plan meet favorable acceptance by the County certain changes and alterations are suggested based on expressions made by its member municipalities.

The County would support an Escarpment Natural Area designation which includes the physical Escarpment and an area approximately 300 metres back from the brow of the Escarpment slope. This 300 metre area would vary with vegetation cover and existing land use. The Escarpment Protection Area for buffer purposes should generally be of a similar dimension to the Escarpment Natural Area zone. It is the County's belief that the above two designations are in many cases too wide and the purpose of the *Niagara Escarpment Planning and Development Act* can be attained by adhering more closely to the physical features of the Escarpment landform than those proposed on the Niagara Escarpment Commission's maps of the Proposed Plan. The Plan designations of Escarpment Natural and Escarpment Protection should not reflect acquisition policy as they do in St. Edmunds and Lindsay Townships as these restrictive designations can be interpreted as a ploy to hold down land values.

The map attached to the brief reflects more realistic and acceptable limits to Escarpment Natural and Escarpment Protection designations. This map shows an expanded Escarpment Rural Area replacing Escarpment Natural and Escarpment Protection Areas remote from the Escarpment landform. The brief calls for a lineal enlargement of the Escarpment Recreation Area designation along the

Georgian Bay shoreline. Areas for such expansion are illustrated on the map attached to the brief and are located in St. Edmunds, Lindsay, Eastnor and Albemarle Townships.

It is requested that the following five areas be deleted from the Proposed Plan:

Area 1 -

This area is in the Township of St. Edmunds and is presently controlled through a Provincially approved amendment to the Bruce Peninsula Official Plan, which is referred to as the "Tobermory South Secondary Plan". The Tobermory South Secondary Plan identifies the natural features in this area (e.g. a major sink hole) as an "Environmental Protection Area".

It is the opinion of the County that the local Secondary Plan provides sufficient safeguards for the preservation of the natural landscape features in this area.

Area 2 -

The lands in question are presently subdivided into 10 acre parcels which reflect the maximum amount of development that could occur. Because of the existence of this "checkerboard" subdivision there is question as to the need to include this in the Proposed Plan as the development can be adequately handled through local zoning regulations.

Area 3 -

This area is remote from the Escarpment and does not relate to the Escarpment. The swamp area within Area 3 can be protected by local zoning provisions.

Area 4 -

The lands west of Bruce County Road No. 9 have for the most part been subdivided into 25 acre parcels. The lands further west of the County Road are effectively land locked and will remain in their natural state. Bruce County Road No. 9 appears to be a logical western boundary for the revised planning area in this section of the Peninsula.

Area 5 -

The Colpoys Creek and Colpoys Village Area should be deleted from the Plan for the following reasons:

- (a) The mouth of the creek is protected by the Ministry of Natural Resources fish sanctuary and by means of an Environmental Protection designation in the Colpoys Secondary Plan.
- (b) The Ministry of Housing has recently approved a Secondary Plan for most of the southern part of this area and this Plan adequately protects the creek areas, the Escarpment and the shoreline by means of a Natural Environment designation that prohibits further development and encourages proper conservation programs.
- (c) As the Escarpment Plan does not cover the entire creek, the County is of the opinion that the creek should be deleted from the Plan and controlled through County land use policy. County policy would effectively limit further development along the creek and any development that could occur would be subject to substantial setbacks from the stream.

EXHIBITS:

252. Two Maps:

- (a) Niagara Escarpment Commission Proposed Plan Map 8, County of Bruce: Township of Albemarle, Township of Amabel, Township of Eastnor, Village of Lion's Head and the Town of Wiarton. Additional markings placed on map by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes.
- (b) Niagara Escarpment Commission Proposed Plan Map 9, County of Bruce: Township of Lindsay and Township of St. Edmunds. Additional markings placed on map

by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the areas recommended for deletion as shown on Exhibit 252 (a) and (b) and further that the Plan be modified by the changes in designation as set out in the above Exhibits.

REASONS:

One difficulty that has plagued the hearing officers during the course of these proceedings was the inability of the Niagara Escarpment Commission to positively identify the location of the Escarpment in many of the other areas of the Plan. Indeed the Niagara Escarpment Commission's paper dealing with the County of Bruce entitled "The Niagara Escarpment and Land In Its Vicinity" states "in contrast to many areas further south, the Niagara Escarpment takes the form of a prominent rock cliff for most of its length in Bruce County". As a result of this we are of the opinion that our task is much easier in this area in being able to identify the Escarpment and lands in its vicinity as required by the *Niagara Escarpment Planning and Development Act*. This has enabled us to accept the evidence adduced by the planner for the County of Bruce in support of the above recommendation.

We are of the opinion that the acceptance of these recommendations will not prejudice the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act* in providing adequate and realistic buffers to the Escarpment. Good examples of proposed designation changes are the extensions of the Escarpment Recreation designations proposed for Colpoys Bay and Dunks Bay.

FILE NO. 800-47

SUBMISSION NO. 374

AGENT: Gordon W. Hotham, Clerk-Treasurer

GROUP: Township of Albemarle

SUMMARY OF SUBMISSION:

The submission lists certain areas that should be removed from the Proposed Plan and the planning area. It supports generally the brief of the County of Bruce. The thrust of this submission is that the Township of Albemarle has placed adequate restrictions on the development of land within its confines and requests that the regulation of lands be left in the capable hands of the municipality.

RECOMMENDATION:

None.

REASONS:

This submission has been substantially dealt with in the recommendation in Submission 373 (County of Bruce).

OWNER: Ivor C. Bridge

LAND: Lots 31 and 32
Part Lots 33 and 34
Concession 4 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission pointed out that the Proposed Plan indicates that a large portion of the subject lands are in public ownership which is not the case (Niagara Escarpment Commission staff agreed).

Mr. Bridge in any event prefers local control of planning.

RECOMMENDATION:

That the indication of public ownership be removed from the subject lands.

REASONS:

The Niagara Escarpment Commission staff are in agreement with the contention made by the owner. There are no further recommendations since the other matter raised has been dealt with elsewhere in the Proposed Plan.

OWNER: Innis Jenkins

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and sees the Bruce Trail as a most important part of it. Acquisition of lands for the Trail should be proceeded with as soon as they become available. It is vital to ensure that the Niagara Escarpment is preserved.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Mr. and Mrs. Donald J. Grant

LAND: Lot 1 and Part Lot 2, Plan 401
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission arises due to the owners' concern about the legality of their use of their home on a permanent basis in the face of the local zoning by-law calling for seasonal use. It would appear their home was erected prior to passage of the by-law in question.

RECOMMENDATION:

None.

REASONS:

This submission did not really deal with the Proposed Plan.

OWNER: Verdon Mackie

LAND: Lot 8, Concession 9 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

The submission is in regard to some 97 acres designated Escarpment Rural. Opposition is raised to the inclusion of these lands in the Proposed Plan and the owner prefers to be under municipal controls. It is his belief an easier disposition could be made of the property if not encumbered by the provisions of the Niagara Escarpment Commission's Proposed Plan.

EXHIBIT:

253. Air photo showing property of Verdon Mackie,
Lot 8, Concession 9 E.B.R., Township of Eastnor,
County of Bruce.

RECOMMENDATION:

None.

REASONS:

The subject property is not in an area recommended for change or deletion by the County. We are of the opinion it should be designated as proposed and remain in the Proposed Plan.

OWNER: Phil McNichol

LAND: R.R. 3
Lion's Head

SUMMARY OF SUBMISSION:

The applicant is a permanent resident of the Bruce Peninsula. He does not agree with many of the uses the Proposed Plan would permit in the Escarpment Rural Areas and singled out golf courses, country clubs and trailer parks. The brief does not oppose certain types of economic development that the community is dependent upon for a living, nor does the speaker believe such development is incompatible with conservation practices. Local autonomy on planning issues is most important as he believes the local people are more aware of, and better able to judge the sensitivity of the people of the Bruce.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 800-31

SUBMISSION NO. 380

OWNER: Ivan Lemcke

LAND: Lot 13, Concession 12 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

The subject lands are designated Escarpment Recreation under the Proposed Plan. Mr. Lemcke has a plan of subdivision on these lands which has draft approval subject to certain conditions, one of which is that a zoning by-law be put in place on the lands. However this condition cannot be complied with since the subject lands are under development control which precludes zoning as a method of control.

RECOMMENDATION:

None.

REASONS:

We are of the opinion this is a local matter and can be resolved outside of this report.

OWNER: John Clark

LAND: Lot 14, Concession 11 E.B.R.
Eastnor Township

SUMMARY OF SUBMISSION:

The subject lands are part of a family farm totalling 550 acres and designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan. Mr. Clark wishes to be able to divide the shore front portion of these lands into cottage lots for members of his family. He requests removal from the Proposed Plan or at least some change in the Plan to allow severances.

These lands are in one of the areas where Bruce County in its submission (No. 373) requested the extension of the Escarpment Recreation designation.

EXHIBIT:

254. Air photo showing property of John Clark, Lot 14, Concession 11 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, as far as the subject lands are concerned, in Submission 373 (County of Bruce) is concurred with this request will be complied with.

OWNER: Angus Ralph

LAND: Russell Island
 County of Bruce

SUMMARY OF SUBMISSION:

This is an island of some 200 acres located approximately one half mile off the coast of Tobermory. Mr. Ralph purchased this island in 1968 and wishes to have the island either expropriated or released from both the St. Edmunds Township Official Plan and the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The subject property is not in an area recommended for change or deletion by the County. We are of the opinion it should be designated as proposed and remain within the Proposed Plan.

OWNER: Ronald Gattis

LAND: Part Lot 28, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

This man owns additional properties in the area but would like to have these approximately 77 acres which are proposed for an Escarpment Rural designation removed from the Proposed Plan. This gentleman has property (Part Lots 31, 32 and 33, Concession 8 W.B.R.) which is surrounded by Ministry of Natural Resources' lands which are currently being offered for sale.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is concurred with then the 77 acre property will be removed from the Plan.

FILE NO. 800-37

SUBMISSION NO. 384

COUNSEL: Peter Fallis

OWNER: William Hepburn

LAND: Lot 26 and 27, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

NOTE: This application was heard together with Submissions 385
(Lawrence W. Ward) and 386 (Clifford Barfoot).

See Submission 386.

COUNSEL: Peter Fallis

OWNER: Lawrence W. Ward

LAND: Lot 29 and Part Lot 28, Concession 8 E.B.R.
Township of Albemarle

SUMMARY OF SUBMISSION:

NOTE: This application was heard with Submissions 384 (William Hepburn) and 386 (Clifford Barfoot).

See Submission 386.

COUNSEL: Peter Fallis

OWNER: Clifford Barfoot

LAND: Lots 29 and 30, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

These three applications (384, 385 and 386) were heard together because the evidence was common to all three. All three of these properties are operating farms and for the most part are proposed for an Escarpment Rural designation in the Proposed Plan. The one thing that they have in common is the fact that the Colpoys Creek runs through the properties otherwise they appear to be similar to other rural lands in the area which are not in the Proposed Plan. This submission requested that the subject lands be removed from the Plan.

EXHIBITS:

255. Air photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot in a portion of the County of Bruce as submitted by Peter Fallis, legal counsel.
256. Ministry of Government Services, Instructions to Tenderers, re: Sale of Bush Land in Part Lot 31 and 32, Concession 8 E.B.R. in the Township of Albemarle, County of Bruce, containing 156.6 acres more or less.
257. Map of Albemarle Township, County of Bruce showing lands to be exempt from the Proposed Plan for the Niagara Escarpment as requested by legal counsel, Peter Fallis.
258. Air photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot, Township of Albemarle, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is accepted all these lands will be removed from the Proposed Plan.

OWNER: A.H. Libby

LAND: Lot 9, Concession 14 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission is a request to remove some 86 acres of land from the Escarpment Natural and Escarpment Protection designations to permit its development as building lots and failing this the Province should purchase it.

EXHIBIT:

259. Air photo showing property of A.H. Libby, Lot 9, Concession 14 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

The County of Bruce made no recommendation for changes on the subject property and we are of the opinion that it is properly designated and should remain within the Proposed Plan. The matter of possible purchase by the Province is beyond our jurisdiction.

AGENT: Douglas J. Robertson, Executive Director
OWNER: Bruce Trail Association
LAND: 80 acres at Cape Chin, and
10 acres at Cypress Lake

SUMMARY OF SUBMISSION:

The submission supports the Escarpment Natural designation on 1/3 to 1/2 of the Cape Chin property but is opposed to the large number of permitted uses for this classification and believes they should be reduced. It is submitted that the balance of its Cape Chin property designated Escarpment Protection should be changed to Escarpment Natural as there are no significant differences in the land.

The Cypress Lake property is entirely in the Escarpment Natural designation and is also in an "acquisition area". While the Association concurs with the designation it would also request that the number of permitted uses be reduced for this property as well.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands are properly designated. The other matters are dealt with in recommendations, comments and reasons in the general section of this report.

COUNSEL: Samuel Lerner, Q.C.

OWNER: Mrs. Frances Lerner

LAND: Unit 32, Plan D 24
Township of Albemarle

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

COUNSEL: Samuel Lerner, Q.C.
OWNER: Dr. Charles H. Loucks

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

COUNSEL: Samuel Lerner, Q.C.

OWNER: A.A. Searle

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

OWNER: Mr. and Mrs. Gordon T. Hill

LAND: Part Lot 20, Concession 8 E.B.R.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

The subject property comprises approximately 24 acres and is designated Escarpment Natural in the Proposed Plan. The Hills purchased this property in 1965 with the promise by the vendor to give an easement for proper access. The surrounding property has been purchased by the Province and the Hills have no access to their property.

The request herein is that the Province purchase the subject property or provide an easement to afford the Hills access to their land. The subject property has frontage on Georgian Bay.

EXHIBIT:

260. Air photo showing property of Ruth and Gordon Hill,
Lot 20, Concession 8 E.B.R., Township of St. Edmunds,
County of Bruce.

RECOMMENDATION:

None.

REASONS:

We have no jurisdiction to deal with the matter of the requested easement.

FILE NO. 800-25

SUBMISSION NO. 393

AGENT: Al Clark, Information Officer

GROUP: Bruce Peninsula Protection Association

SUMMARY OF SUBMISSION:

This submission requests that all lands in Bruce County be "removed from the Proposed Plan and that local planning be restored".

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Gordon and Rhonda Richardson

LAND: Lot 9, Concession 11
Township of Eastnor

SUMMARY OF SUBMISSION:

Totally opposed to the Proposed Plan and feels the controls should be removed from his lands because it may prevent him from woodcutting.

EXHIBIT:

261. Air photo showing property of Mr. and Mrs. Richardson, Lot 9, Concession 11, Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: Mr. and Mrs. Ronald Ceaser

LAND: Lots 19 and 20, Concession 7
Lot 20, Concession 8
Township of Lindsay

SUMMARY OF SUBMISSION:

The witness is opposed to the placing of controls on this land and points out that the property has been in the family for over 100 years. It appears that a small part of the property may be in the Escarpment Recreation Area but otherwise the lands are proposed for Escarpment Natural, Escarpment Protection and Escarpment Rural. This property is located in the Otter Lake area. The owner does not understand why land which he alleges is 10,000 feet away from the brow of the Escarpment has been included in an area of control in the Proposed Plan. It is also the opinion of this witness that it has depreciated the value of the lands.

EXHIBIT:

262. Air photo showing property of Mr. and Mrs. Ronald Ceaser, Lot 20 and Part Lots 21 and 22, Concession 7 E.B.R., Lot 19, 20 and 21, Concession 8 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands have been properly designated and included in the Proposed Plan.

AGENT: Mrs. James Rodgers

OWNER: Frank and Ismay Richardson

LAND: Lot 9, Concession 9 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

Mrs. Rodgers who represented the Richardsons at the hearing read from a prepared statement which contained statements with respect to the loss of rights and other issues which have been raised many times. This property is located in the "agriculture island" and near the property which the Ministry of Natural Resources is offering for sale. The owners are seeking to have their land removed from the Proposed Plan.

EXHIBIT:

263. Air photo showing property of Mr. and Mrs. Richardson,
Lot 9, Concession 9 E.B.R., Township of Eastnor,
County of Bruce.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands are properly designated and should remain in the Proposed Plan.

OWNER: James and Shirley Rodgers

LAND: Lot 30, Concession 1 and 2 E.B.R.
Township of St. Edmunds
Lot 18, Concession 6 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

Both Mr. and Mrs. Rodgers gave evidence at the hearing and requested that the land which they own be removed from the Proposed Plan. They also pointed out that they strongly objected to the provisions of Section 2.9. They also stated that they have strong objections to an interview given by an official of the Bruce Trail indicating there was little objection in the Bruce Peninsula to the Plan.

EXHIBIT:

264. Two Items:

- (a) Air photo showing property of Mr. and Mrs. James Rodgers, Lot 18, Concession 6 E.B.R., Township of Eastnor, County of Bruce.
- (b) Air photo showing property of Mr. and Mrs. James Rodgers, Lot 30, Concession 1 and 2 E.B.R., Township of St. Edmunds, County of Bruce.

RECOMMENDATION:

None.

REASONS:

In our opinion the property in Eastnor Township is properly designated and is properly included in the Proposed Plan. If our recommendation in Submission 373 (County of Bruce) is concurred with

Submission No. 397 continued

then the property in the Township of St. Edmunds will be designated Escarpment Rural and remain within the Plan.

OWNER: Mr. and Mrs. John H. Thompson

LAND: Lots 44 and 45, Concession 2
Township of St. Edmunds

SUMMARY OF SUBMISSION:

The Thompsons own approximately 200 acres of land and their lands are designated Escarpment Protection and Escarpment Rural in the Proposed Plan. Mr. Thompson is concerned about his ability to cut cedar logs on his property and would like at some future date to give a lot to his son. He pointed out that there are only about 65 workable acres of the total 200. He also expressed a desire to sell rocks off the property.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands are properly designated and should remain in the Proposed Plan.

OWNER: Malcolm M. Campbell

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and in opposition to the changes proposed by the County of Bruce. It contends the Proposed Plan is reduced to a bare minimum as it now stands.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 800-23

SUBMISSION NO. 400

COUNSEL: J.D. Murphy

OWNER: Harold Murphy
(Colpoys Cove Investments)

LAND: Lots 26 and 27, Concession 15 E.B.R.
Lot 23, Part Lots 24 and 25, Concession 15 E.B.R.
Lots 27 and 28, Concession 14 E.B.R.
Township of Albemarle

SUMMARY OF SUBMISSION:

The submission supported by planning evidence seeks certain modifications to the Proposed Plan as it affects the above lands, some 1,054 acres having 2.5 miles of waterfront on Colpoys Bay. Escarpment Natural designation applied to 730 acres or 69% of the property with Escarpment Protection on 324 acres or 31% of the site. There is no objection to the Escarpment Natural designation remaining on the portion of the property so designated but the Escarpment Recreation Area designation should be extended to part of the shoreline property to permit its development in accord with the existing cottage development along the bay. It is also requested that the Escarpment Protection designation be changed to Escarpment Rural. The concerned Township and County bodies have endorsed the development proposed for this property.

EXHIBITS:

265. Curriculum Vitae - Bernard P. Hermsen

266. Air photo of properties owned by Colpoys Cove Investments (Harold J. Murphy), Lot 26 and 27, Concession 15 E.B.R.; and Lot 23, Part Lot 24 and 25, Concession 15 E.B.R.; and Lots 27 and 28, Concession 14 E.B.R. in the Township of Albemarle, County of Bruce. Site analysis as submitted by

MacNaughton, Hermsen Planning Ltd.

267. A series of 12 photos illustrating site views of Colpoys Cove Investments' properties, the subject of this application and views of adjoining property.
268. Preliminary concept plan of development of properties owned by Colpoys Cove Investments, Township of Albemarle, County of Bruce. Air Photo, scale: 1:4000. MacNaughton, Hermsen Planning Ltd.
269. Resolution from the County of Bruce, Niagara Escarpment Committee, re Mr. Murphy, Lots 28 to 32, Concession 14 and 15, Township of Albemarle, dated August 4, 1981.
270. Resolution from the Township of Albemarle re Colpoys Cove property, Lots 25, 26, 27 and 28, Concession 15 E.B.R. Letter dated August 18, 1981.

RECOMMENDATION:

None.

REASONS:

If our recommendation on Submission 373 (County of Bruce) is concurred with then a large portion of this property will be changed to Escarpment Recreation. As far as the request to change from Escarpment Protection to Escarpment Rural is concerned, we are of the opinion that Escarpment Protection is the proper designation.

OWNER: Mrs. Robert Kropschot

LAND: Town Plot Bury E.B.R. 9 Pt.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

Mrs. Kropschot appeared and gave evidence on behalf of herself and her father, Leonard Mayhew, Submission 402. This land is located on the north shore of Dunk's Bay. She pointed out that her land has been designated as an Escarpment Natural Area and she would like this to be changed to Escarpment Recreation as a continuation of the cottage area which now exists. This apparently is not part of the Escarpment which is visable and is more or less an island.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the subject property in Submission 373 (County of Bruce) is accepted then the subject property will be designated Escarpment Recreation.

OWNER: Leonard Mayhew

LAND: Town Plot Bury E.B.R. 9 Pt.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

Mrs. Robert Kropschot (Submission 401) appeared and gave evidence on behalf of herself and her father, Mr. Mayhew. This land is located on the north shore of Dunk's Bay. She pointed out that the land has been designated in the Escarpment Natural Area and she would like this to be changed to Escarpment Recreation as a continuation of the cottage area which now exists. This apparently is not part of the Escarpment which is visible and is more or less an island.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the subject property in Submission 373 (County of Bruce) is accepted then the subject property will be designated Escarpment Recreation.

OWNER: Richard Fox

LAND: Lots 18 and 19, Concession 8 E.B.R.
Part Lot 18, Concession 9 E.B.R.
Part Lot 18, Concession 10 E.B.R.
Township of Lindsay

SUMMARY OF SUBMISSION:

The subject property comprises some 500 acres and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan.

This submission did not concern itself with the proposed designations but rather opposed the whole idea of a Plan such as is being proposed.

EXHIBIT:

271. Air photo showing property of Richard Fox, Lots 18 and 19, Concession 8 E.B.R.; Lot 18, Concession 9 E.B.R.; and Part Lot 18, Concession 10 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

This submission is much too negative to comment upon or to make any recommendation on it.

AGENT: Fred Davenport

GROUP: Niagara Escarpment Northern Ratepayers Association

SUMMARY OF SUBMISSION:

The submission put forward reiterates its position consistently taken at these hearings that the *Niagara Escarpment Planning and Development Act* and the Proposed Plan emanating from it constitute an attack on civil liberties including the rights of people to deal with their own lands in concert with local government. All planning should be returned to the local level of government and the Niagara Escarpment Commission should no longer function as the governing body.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

OWNER: H. Vincent Elliott

SUMMARY OF SUBMISSION:

This submission is in support of the Niagara Escarpment Proposed Plan. The above named is a naturalist employed by Ontario Nature Tours. He is a guide to tourists and photography groups. Many interesting areas within the Plan were outlined by Mr. Elliott and their importance to the objectives of the Proposed Plan were stressed.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

AGENT: Ron Reid, Secretary-Treasurer

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

This submission was presented by Ron Reid, Programme Manager for the Federation of Ontario Naturalists and also Secretary-Treasurer of the Coalition on the Niagara Escarpment in support of the Proposed Plan. The same brief was presented for the Federation of Ontario Naturalists by this individual in Submission 680. Its main purpose is to oppose the Bruce County recommendations for changes in the Niagara Escarpment Proposed Plan. The brief explains the interest of the two organizations in the natural areas of the Bruce Peninsula. It is felt that the cut back in the original planning area affected the Bruce Peninsula most radically making it less flexible for further reduction. It is contended that County requests for such in this regard do not represent the opinions of landowners where properties are involved nor have they all been consulted. The brief does not agree with the County that certain areas could be sufficiently protected by provisions in local official plans as for the most part local plans do not now do so.

RECOMMENDATION:

None.

REASONS:

These matters have been dealt with in Submission 373 (County of Bruce).

AGENT: Ron Reid, Programme Manager

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

This submission was presented by Ron Reid, Programme Manager for the Federation of Ontario Naturalists and also Secretary-Treasurer of the Coalition on the Niagara Escarpment in support of the Proposed Plan. The same brief was presented for the Coalition on the Niagara Escarpment by this individual in Submission 679. Its main purpose is to oppose the Bruce County recommendations for changes in the Niagara Escarpment Proposed Plan. The brief explains the interest of the two organizations in the natural areas of the Bruce Peninsula. It is felt that the cut back in the original planning area affected the Bruce Peninsula most radically making it less flexible for further reduction. It is contended that County requests for such in this regard do not represent the opinions of landowners where properties are involved nor have they all been consulted. The brief does not agree with the County that certain areas could be sufficiently protected by provisions in local official plans as for the most part local plans do not now do so.

RECOMMENDATION:

None.

REASONS:

These matters have been dealt with in Submission 373 (County of Bruce).

OWNER: Harold M. Forbes

LAND: Lot 23, Concession 4 and 5
Township of Eastnor

SUMMARY OF SUBMISSION:

The subject property some 85 acres is designated as Escarpment Rural in the Proposed Plan. There are gravel deposits on the east side of the property and a pit now in operation at another location on the subject property. It is feared that once the Proposed Plan is approved his chance of getting a licence to operate another gravel pit would be jeopardized. He does not want a wayside operation but a regular pit. The owner requests that his lands be deleted from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, on Submission 373 (County of Bruce) is concurred with then the westerly portion of this property will be removed from the Proposed Plan.

OWNER: Mrs. W.I. Watson

LAND: Lots 44 and 45, Concession 1 E.B.R.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

This owner has 200 acres within the Proposed Plan designated as Escarpment Rural. It was once a farm but is now pretty well vacant. Objection is taken to the Niagara Escarpment Commission's controls and the feeling is expressed that she could deal with local and County planning regulations much easier. It is requested that this property be removed from the Plan.

EXHIBIT:

525. Air photo showing property of Mrs. W.I. Watson,
Lots 44 and 45, Concession 1 E.B.R., Township
of St. Edmunds, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is concurred with then the subject property will be removed from the Proposed Plan.

AGENT: Martin Parker, Director

GROUP: Saugeen Field Naturalists

SUMMARY OF SUBMISSION:

This submission is in general support of the Niagara Escarpment Proposed Plan and was presented by Martin Parker, Director of the organization. The organization requests that there be no deletions from the Proposed Plan and that the implementation be not fragmented among the municipalities. It is opposed to development being permitted where acquisition has not occurred on lands so designated.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-55

SUBMISSION NO. 685

OWNER: Garfield Shouldice

LAND: Lot 9, Concession 14
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission concerns about 90 acres of land designated as Escarpment Natural and Escarpment Protection. He wants his land to be acquired and would like to have a date settled for acquisition.

RECOMMENDATION:

None.

REASONS:

This is the same property as dealt with in Submission 387 (A.H. Libby).

OWNER: Joseph W. Johnson

SUMMARY OF SUBMISSION:

This submission is in support of the Niagara Escarpment Proposed Plan. He requests that the Escarpment Natural and Escarpment Protection Areas of the Plan not be cut back.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

OWNER: Rodger and Mary Schwass

LAND: Part Lots 29, 30 and 31, Concession 7 E.B.R.
Township of Lindsay

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Natural and Escarpment Protection in the Niagara Escarpment Proposed Plan. It is requested that this property be removed from the Proposed Plan as the owners use it as a wildlife sanctuary which would be threatened if intensive encroachment is made upon it by tourists and others. The owners would prefer talking to local government regarding their lands rather than the Niagara Escarpment Commission.

EXHIBIT:

526. Air photo showing property of Rodger and Mary Schwass, Part Lots 29, 30 and 31, Concession 7 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 373 (County of Bruce) is concurred with then the portion of this property fronting on Britain Lake will be changed to Escarpment Recreation. We are of the opinion this property should remain within the Proposed Plan.

OWNER: Bryce Kindrick

SUMMARY OF SUBMISSION:

The submission is generally in support of the Proposed Plan but expresses concern regarding the large number of development permits granted.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-14

OWNER: Clayton McKague

SUBMISSION NO. 689
(Written Only)

SUMMARY OF SUBMISSION:

This submission is totally opposed to the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. S 800-32

SUBMISSION NO. 690
(Written Only)

OWNER: Jerry Rutherford

LAND: Part Lot 15, Concession 7 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission covers land that is used for the purpose of raising beef cattle and requests that the subject property be removed from the Proposed Plan.

EXHIBIT:

527. Air photo showing property of Jerry Rutherford,
Part Lot 15, Concession 7 E.B.R., Township of
Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is accepted a portion of this property will be changed to Escarpment Rural. We are of the opinion the property should remain within the Proposed Plan.

FILE NO. S 800-60

SUBMISSION NO. 691
(Written Only)

OWNER: Bernd Baldus

LAND: Part Lot 15, Concession 18 E.B.R.
Township of Albemarle

SUMMARY OF SUBMISSION:

This submission is in general agreement with the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

